

## CROSS TALK

## Civil service reforms

### Plug the holes in the draft

HERE is little question that the country's civil service has been declining performance-wise. A round table discussion on the Draft Civil Service Law has highlighted this truth once again. The round table has focused on those issues related to the civil service that have regularly been talked about without much follow-up action being taken. It is now time for a full, concentrated approach to the question of civil service reforms. One notes, though, that over the decades a good number of moves were made toward promoting administrative reforms. Unfortunately, though, nothing has come of all that enthusiasm.

Now that a draft law vis-à-vis the civil service is here, its provisions must be thoroughly deliberated upon in the public domain. There are clear loopholes in the draft law that need filling in. For instance, to what extent politicisation of the service will further mar its quality through an application of the president's quota is a huge question. As it is, the service has in the past four decades systematically been politicised. The draft law ought to plug such politicisation-related holes. The whole point here is that governance depends as much on the nature of political philosophy as on an efficient running of the administration. Unless civil service appointments are made on the basis of merit and competence --- and here we need a powerful, independent Public Service Commission to ensure that --- it will be naïve to suppose that good administration will underpin the workings of government. Besides, there are already some other limitations under which the civil service has been functioning. Politicisation is one, sure. There is too the matter of contractual appointments. In recent times, such appointments have generated controversy for various reasons. Moreover, a glaring weakness of the civil service has been the growing tendency toward making officers redundant as OSDs. A study of the large number of OSDs in the service at present points to the huge waste of talent and resources in the nation's administrative system. Does the draft law have any answer to these issues?

The essence of the civil service will be rendered pointless if civil servants charged with corruption cannot be prosecuted unless permission from the higher authorities is first obtained. The draft law must do away with such provisions, for they could well serve as a blank check for unbridled corruption in the service.

Let the draft law be discussed in Parliament and among broad civil society before being adopted.

## Reuters Thomson polls

### Assuring safer place for women

OF the places most dangerous to women are Afghanistan, Congo, Pakistan, India and Somalia, as found by a Thomson Reuters Foundation expert polls result published recently. Although Bangladesh is not in the list, which is gratifying, yet there is hardly any reason for complacency. The screaming headlines on all forms of conceivable violence against women in media are tell-tale.

Now what does the Thomson Reuters polls report has to say about some of the societies under review? A tradition-bound society Afghanistan, ravaged by wars for the last three decades is hardly any safe place for a woman. Small wonder 87 per cent of its women has remained illiterate and 70 to 80 per cent of them married off forcibly. On the other hand Democratic Republic of Congo, a resource-rich African nation is still reeling from the ugly civil war between 1998-2003 that killed millions. Amidst racial hatred among tribes that fuelled that war, rape is a weapon of war. Which is why, on an average 40 women are raped there everyday, while Pakistan, itself steeped in extremism and bigotry, and also fighting the Afghan war by proxy has become the home to rabid militancy. So women are victims of acid attacks, 90 per cent of them face domestic violence, girl children are married off forcibly and according to the Pakistan Human Rights Commission, annually 1,000 women are made victims of honour killing.

With close socio-cultural link to Pakistan and Bangladesh, India with its 1.21 billion population is also no safe home for women. Seen as a burden to family, foeticide, child marriage, servitude and trafficking in women are rampant.

But free from those kinds of wars and social curses, with its rather homogeneous society, Bangladesh should have been a far safer place for women. But the reality is its women are being made victims of domestic violence, acid attacks, eave-teasing leading often to suicide.

We have a huge stake in improving the condition of our women so that Bangladesh may graduate to a higher place among the advanced democracies so far as the overall status of women is concerned.

# A business plan for democracy



MOHAMMAD  
BADRUL AHSAN

BACK in 193 A.D. Praetorian guards devised the idea of having a public auction to choose a new leader for the empire. The wealthiest senator in Rome, 61-year-old Didius Julianus, won the throne with a bid of 300 million sesterces. But Roman general Severus didn't approve of that infamous change. He led his troops back from Pannonia and ousted the new emperor, whose reign lasted only 66 days.

The historical fact can be a lesson for us since we are unable to figure out how to choose a government in this country. Why don't we think about a public auction when the highest bidder will rule the country for a fixed term? We aren't going to need political parties. We aren't going to need an Election Commission. Even better no election rigging, no electoral violence. We don't have to worry about caretaker government. Minus the beheading part, a leader by auction isn't a bad idea at all.

This leader will get to choose his representatives through a series of auctions across the country. He will then form a government and choose his cabinet. It will be an ideal fix for a country that worships money. The richest man should preside over a money-mongering republic. It will also have its indirect benefit. Every five years, the state will collect extra revenue from the rich.

This country belongs to the moneyed people anyway. They bend rules, break laws, and call the shots in policy decisions. Only a dozen of them can skim three million countrymen, still nobody dares to touch them. They get tax holidays. They get export trophies, CIP status and party nominations. A petty tax dodger can face prison

terms, but those who evade billions in taxes get general amnesty year after year.

So, why not let a businessman buy the highest office in this country? All that we need is a strong committee to action the auction. The committee members will not have much room to maneuver, thus the scope of them engaging in any sort of manipulation being minimum to none. The highest bidder will win the appointment, and the auction amount shall be publicly announced.

That, dear readers, will solve our problem. We aren't going to have to go back and forth between having a caretaker government and not having one. That will also free us from the tedious bickering over cutting the tenure of a chief justice according to

the coat of a ruling party's political contrivance.

How about that? Everything this republic is doing now is meant to give incentives to business. Why not give our national passion its due place in the ultimate context, so that every child born will be inspired to grow up with the singular ambition of becoming a business-

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man or business-minded man!

In fact, the entire country is now a business proposition. When was the last time we have celebrated something other than business? Even our national holidays like Independence Day, Ekushey February, Pahela Boishakh and Victory Day are dominated by business interests, when our sublimest sentiments are auctioned off to the marketing ploys of corporate houses.

But that is not as bad as the marketing mentality that has been honed in our imagination. Everything we do has a price tag, whether we choose to call it fees, charges, remunerations, commissions or kickbacks. Who would understand our business instincts other than a businessman?

It has been proven for a good number of years that politicians have failed to provide leadership to this country. And a good number of these politicians are aspiring businessmen so much as many businessmen today are aspiring politicians. Needless to say, the driving force in both professions is the instinctual calculation of the return on investment.

More than twenty years later, our politics is going back to square one. Once again this country is heading for a confrontation because our leaders have chosen to go half-and-half on a Supreme Court verdict.

Perhaps a businessman-cum-statesman will be more cautious. He will be more concerned about stability because absence of it has cost to business. He will avoid hartals, discourage bribery, and ensure supply of gas and power, because loss of business is non-negotiable to him.

He will run the country more prudently, hopefully synchronising his return on investment with that of the country. Even better he will get to re-auction if he is willing to be the highest bidder again. A businessman will not cling to power if it doesn't make business sense to him.

Will it change anything? Of course, it will. We shall become a nation of businessmen without having the hassles of politics. Cash-driven democracy is better than democracy chasing cash.

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# Distancing statutory authorities

JAMAL KHAN

FOR many decades, public sector organisations are being functionalised as ministries, departments, divisions, statutory authorities, public enterprises, and field agencies. Civil service, with its customary regulatory and custodial mandate, has expanded to involve the public enterprise sector with its burgeoning growth, empowerment and entrepreneurial roles.

In contemporary times, Bangladesh has put in place a host of statutory authorities, which have in some instances taken on the roles of commissions. Some of the commissions comprise Human Rights Commission, Election Commission, Bangladesh Telecommunication Regulatory Commission, Anti-Corruption Commission, Public Service Commission, Law Commission, University Grants Commission, Privatisation Commission, Energy Regulatory Commission, Tariff Commission, Atomic Energy Commission, and Planning Commission.

The institutional evolution, reach and capability involving the commissions, however, have been neither comprehensive nor satisfactory. To create, institutionalise and sustain these commissions, legislation has been passed, structure has been laid out, functions have been described, scope has been delineated and, quite often, operating procedures have been set out.

Over time, the commissions have gone through the formulation phases. For instance, operational areas have been set aside, scope and reach have been deepened, involvement has been expanded, issues and concerns have been sorted out, challenges have been faced, prospects and opportunities have been explored, experience has been put together, some achievements have been made, and a modest track record has been established.

Here lies the crunch. Legislative mandates and executive intentions have not succeeded in making these commissions carry out their mandates, fulfill their promises, reach

their potential, develop and secure their achievement orientation, and reach their functioning capability. Quite the reverse, in fact, has occurred in some cases. The commissions have grown numerically as well as sectorally, but have been forced to remain dependent on the executive institutions, especially the ministries and their key personnel, for their budgetary provision, capability enhancement, visibility, and success.

The first, and the most damaging, crunch concerns finance. The commissions depend for their survival and enhancement on their respective ministerial budgetary appropriations. The very fact that they are dependent for finance and budget on their ministries invariably induces dependence and subordination, an issue which may be vociferously contested. But

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organisational realities and actual ministry-commission relations confirm and chronicle chronic dependence and crippling subordination. The existing relations breed frustration, cynicism and futility, curb decision-making, processing and operational capacity, blunt achievement orientation, dampen morale and motivation, and restrain autonomy and self-reliance.

Operating ministries, especially key agenda-driven personnel, can delay funding through noncooperation, delay the making and delivery of key approval-related decisions, frustrate and prolong the process, criticise progress and momentum, thwart policies and decisions, create an environment of manipulation and machination, perpetuate centralisation and asymmetric power relations, indulge

in inter-organizational and inter-executive power play, and hurt expected organisational performance.

Put another way, our commissions' operational autonomy, executive latitude, decision-making ability and enforcement capacity are undermined in the process, pitiful subservience grows, and in the larger community their image, credibility, believability and deliverability are thrown into a tailspin. The unenviable, malicious, spiteful and essentially pointless culture of blame, counter-blame, defence, offence, attack and retreat linger on.

The second hurtful factor relates to the ability of the commissions to attract and retain creative, energetic, and capable personnel. Nearly chronic dependence on ministry-approved budgets, the constant need

these commissions tend to be perceived, unfortunately, as toothless tigers or jaded giants. In some instances, the operating organisations, line agencies and private sector organisations can flout the commissions' decisions with impunity. As and when this occurs, institutional rationality and policy continuity and dependability go out the window fast, general credibility drops or disappears, waste piles up, cost escalates, delay, non-decision and non-enforcement take their toll, careerism and special interests get entrenched, the regulatees capture the regulators, and systemic atrophy sets in.

The fateful consequences -- at least in some instances -- are not difficult to find. The commissions remain relatively timid and, perhaps even, tame, dependence and subservience lurk around, the goals and objectives are stymied, the mission and the vision get blurred, the process continues to be lengthy, dilatory and, occasionally, convoluted, progress remains painfully slow, an achievement and performance culture does not get built up, and management gets scape-goated, ridiculed, discredited and frustrated.

Policy leadership needs to understand -- now rather than later -- that in developing countries such as Bangladesh, management capability is a scarce resource and that institutional/organisational development is sparse and shallow. There is no shortcut, and there is no circumventing the painful and long-term, and yet essential and rewarding, process of human resource development, procedure/process simplification, goal achievement, performance measurement, and results dissemination. It is time for us to realise that institution-building, whatever form it takes and whoever leads it, is a far-reaching and profoundly consequential managerial engagement, and anything short of it, is, ultimately, unhelpful and costly.

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## THIS DAY IN HISTORY

June 17

1631

Mumtaz Mahal dies during childbirth. Her husband, Mughal Emperor Shah Jahan I, will spend more than 20 years building her mausoleum, the Taj Mahal.

1940

World War II: Operation Ariel begins. Allied troops start to evacuate France, following Germany's takeover of Paris and most of the nation.

1940

World War II: the British Army's 11th Hussars assault and take Fort Capuzzo in Libya, Africa from Italian forces.

1991

Apartheid: The South African Parliament repeals the Population Registration Act which required racial classification of all South Africans at birth.

1992

A "joint understanding" agreement on arms reduction is signed by U.S. President George H. W. Bush and Russian President Boris Yeltsin (this would be later codified in START II).