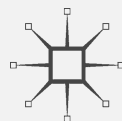




**CIVIL SERVICE MANAGEMENT
AND ADMINISTRATIVE SYSTEMS
IN SOUTH ASIA**

Edited by Ishtiaq Jamil, Tek Nath Dhakal, Narendra Raj Paudel



Civil Service Management and Administrative Systems in South Asia

Ishtiaq Jamil · Tek Nath Dhakal
Narendra Raj Paudel
Editors

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PREFACE

This book is a result of hard work by many people and institutions of higher learning in Scandinavia and South Asia who have been cooperating and developing partnerships for over a decade. Our efforts have culminated in a number of academic and practical results. We have developed graduate and postgraduate educational programmes, conducted evidence-based research, and disseminated knowledge not only to students of political science and public administration but also to people working in public administration and members of civil society organizations. The editors are deeply grateful for this partnership and wish to see it flourish further and remain academically productive.

This book is about civil service and public administrative systems in South Asia. It maps reform efforts, describes how different nations in the region attempt to build their administrative institutions, and the kinds of experiments carried out in search of better governance. What are the limitations and possibilities of an organization with a chequered history? To what extent has the public administration system in a country remained robust? Has it resisted change, or has it gradually changed over the years to be more receptive to new ideas and responsive to society and citizens?

Each chapter describes and explains historical developments in the administrative system in a country and the reform measures leading to its current structural and functional configuration. These chapters also discuss the numerous efforts made by various regimes and international bodies to streamline public administration in a quest for good governance. The authors discuss how recruitment to the civil service is done,

the promotion and the quota system to enhance representativeness, the training of civil servants, the problem of politicization, and its role in the changing political and socio-economic scenarios. They shed light on the challenges of trying to graft modern administrative techniques onto systems imbued with traditional and colonial administrative norms and practices.

South Asia has become democratic but at the same time more politically volatile. Within such a context, what form does public administration have, how does it perform its duties, and what roles does it play? Is the spirit de corps, which was the hallmark of civil service during the colonial era, still intact? These are some of the issues explored in the chapters in this volume.

The book is relevant for students and scholars of political science, public administration, public policy, and governance studies. It is rare, if not unique, to find a book that describes and explains civil service systems and public administration in South Asia. Afghanistan is the only country not included in the discussion. We have chosen instead to include a chapter on China. Some of the chapters focus particularly on the development of local government systems.

We would like to express our gratitude to a number of institutions and individuals. The Norwegian Agency for Development Cooperation (NORAD), through its NORHED programme (the Norwegian Programme for Capacity Building in Higher Education and Research for Development), has provided financial support for our collaboration in education and research, and for enabling partnerships to develop between the University of Bergen in Norway, Tribhuvan University in Nepal, North South University in Bangladesh, and the University of Peradeniya in Sri Lanka. For this we are deeply grateful. We would also like to thank the contributing authors who have shown great interest in the book project, and our publisher, Palgrave Macmillan. Finally, Arlyne Moi has been an excellent copy editor and deserves special thanks from us all.

Bergen, Norway
Kirtipur, Nepal
Kirtipur, Nepal
February 2018

Ishtiaq Jamil
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ABBREVIATIONS

ACR	Annual Confidential Reports
ADB	Asian Development Bank
AIS	All India Service
APUG	All Pakistan Unified Grades
ARC	Administrative Reform Commission
ARC	Administrative Reform Committee
ARMD	Administrative Reform Management Division
ASRC	Administrative and Services Reorganization Committee
BCS	Bangladesh Civil Service
BCSE	Bhutan Civil Service Examination
BPATC	Bangladesh Public Administration Training Centre
BRGF	Backward Regions Grant Fund Programme
CARC	Civil Administration Restoration Committee
CARR	Committee for Administrative Reform and Reorganization
CC	Control of Corruption
CCP	Chinese Communist Party
CCS	Civil Service and Central CS
CDO	Chief District Officer
CDP	Community Development Programme
CEE	Central and Eastern European
CISF	Central Industrial Security Force
CS	Civil Service
CSAT	Civil Services Aptitude Test
CSC	Civil Service Commission
CSE	Civil Services Examination
CSP	Civil Service of Pakistan

CSRU	Civil Service Reform Unit
CSS	Central Superior Services
DCB	Decentralized Budget System
DCS	Department of Census and Statistics
DDC	District Development Committee
DDC	Divisional Development Councils
DFID	Department for International Development
DoPT	Department of Personnel and Training
DPA	District Political Authority system
DPC	District Planning Committees
ELDP	Executive Leadership Development Programme
FATA	Federally Administered Tribal Areas
FCR	Frontier Crimes Regulations
FMRP	Fiscal Management Reform Programme
FPSC	Federal Public Service Commission
FUG	Federal Unified Grades
GCS	General Central Services
GE	Government Effectiveness
GN	Gramaniladhari
GON	Government of Nepal
GSEA	Gender and Social Exclusion Assessment
HAG	Higher Administrative Grade
HMG	His Majesty Government
IA & AS	Indian Audits & Accounts Service
IAS	Indian Administrative Service
ICS	Indian Civil Service
ICT	Information and Communication Technology
IDAS	Indian Defence Accounts Service
IDES	Indian Defence Estate Service
IFS	Indian Foreign Service
IFS	Indian Forest Service
IIS	Indian Information Service
IP & TAFS	Indian Post & Telecommunication Accounts and Finance Service
IPS	Indian Police Service
IRAS	Indian Railway Accounts Service
IRPS	Indian Railway Personnel Service
IRS	Indian Revenue Service
IRTS	Indian Railway Traffic Service
JAG	Junior Administrative Grade
JTS	Junior Time Scale
LDO	Local Development Officer
MLC	Martial Law Committee

MOGA	Ministry of General Administration
MoPMR	Ministry of Public Management Reforms
MoPR	Ministry of Panchayati Raj
MPF	Ministry of Finance and Planning
NAB	National Accountability Bureau
NARC	National Administrative Reforms Council
NASC	Nepal Administrative Staff College
NCS	Nepalese Civil Service
NES	National Extension Services
NGO	Non Governmental Organization
NPC	National People's Congress
NPM	New Public Management
NRB	National Reconstruction Bureau
NSPP	National School of Public Policy
OSD	Office on Special Duty
P & SC	Pay and Service Commission
PARC	Public Administration Reform Commission
PC	Provincial Council
PCS	Provincial CS
PDP	Professional Development Programme
PEAIS	Panchayat Empowerment and Accountability Incentive Scheme
PESA	Panchayats Extension to the Scheduled Areas Act
PO	President's Office
PRC	People's Republic of China
PRI	Panchayat Raj Institutions
PRIS	Performance Related Incentive Scheme
PSC	Public Service Commission
PSCBP	Public Sector Capacity Building Project
PV	Political Stability and Absence of Violence
RCSC	Royal Civil Service Commission
RL	Rule of Law
RMU	Restructuring Management Unit
RPF	Railway Protection Force
RQ	Regulatory Quality
SAARC	South Asian Association for Regional Cooperation
SAG	Senior Administrative Grade
SC	Scheduled Castes
SLIDA	Sri Lanka Institute of Development Administration
SOE	State Owned Enterprise
SSAB	State Services Advisory Board
SSC	Staff Selection Commission
SSDB	State Service Disciplinary Board

ST	Scheduled Tribes
STS	Senior Time Scale
UML	United Marxist Leninist
UNDP	United Nations Development Programme
UPA	United Progressive Alliance
UPSC	Union Public Service Commission
UZP	Upazilla Parishads
VA	Voice and Accountability
VDC	Village Development Committee
WGI	Worldwide Governance Indicators
WTO	World Trade Organization

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CHAPTER 1

Introduction: Understanding Civil Service in South Asia

Ishtiaq Jamil, Tek Nath Dhakal and Narendra Raj Paudel

This book is an introduction to the civil service system in Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan, Sri Lanka, and China.¹ All these countries, with the exception of China, are in South Asia—a region that is home to around 1.7 billion people. India has the largest population (around 1.3 billion), and the Maldives has the smallest (around 0.4 million). The region has huge variations in terms of population size, ethnicity, religion and religious divisions, language, and geography. Political

¹Afghanistan is also in South Asia but is not discussed in the book. China has applied for full membership of South Asian Association for Regional Cooperation (SAARC) but is not considered part of South Asia.

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and administrative history also varies: some countries were under British colonial rule (Bangladesh, India, Pakistan, and Sri Lanka) but others (such as Nepal and Bhutan) have never been colonies. In terms of politics and public administration, these countries mostly follow a Westminster model of government (though there are variations between federal and unitary forms of government). There is a certain amount of resemblance between the present civil service in the countries, with several having a legacy from the Indian Civil Service (ICS) established during the British colonial period. The ICS was considered the best administrative machinery amongst all decolonized nations because of its neutrality, impersonality, high ethical standards, dedication, and *esprit de corps* (Parasher 2003; Dwivedi and Jain 1988).

Challenges to public administration are huge, not only because of the diversity in South Asia, but also because the countries want to streamline public administration in accordance with recent trends towards globalization, democratic governance, and new managerial principles. On the one hand, public administration needs to be efficient in providing quality services and in order to be responsive to social demands; on the other hand, the quality of government must be upheld on the basis of neutrality and inclusive policies, with emphasis on the political participation of diverse groups. In these respects, public administration finds itself having to play different and often-conflicting roles. Sociocultural norms emphasizing collectivism often compromise neutrality in decision making. Affective culture, based on give and take, is quite common in South Asia and leads to patron-clientelism. In trying to find a balance between official and private life, public officials sometimes disregard rule of law. Getting business done in public institutions then becomes a matter of lobbying and corrupt practices. Cultural and colonial legacies have strong influence on the way civil servants and public institutions function in South Asia (Jamil et al. 2013). In the game of politics, a civil servant's loyalty is rewarded through promotion and posting to lucrative posts; in fact, such loyalty is often deemed to be a more valuable attribute than professionalism and efficiency. Given the daunting challenges facing public administration in managing the affairs of governance, this book provides a comprehensive and comparative account and understanding of administrative systems in South Asia. It looks at various reforms undertaken to restructure the civil service and illustrates the development of local government in some of these countries.

Elitism has traditionally been a hallmark of South Asia's civil service systems. With independence from colonial rulers and the introduction of democracy, there has been a call for more representative bureaucracy by reducing gaps (e.g., in decision-making power) amongst different services. Post-independence reforms and reforms under democratic regimes have therefore focused on reducing elitism, especially amongst different services within the civil service in order to make them more citizen-oriented and responsive to the needs of society. While elitism in some countries, for instance in Bangladesh, has been reduced through various reforms, policymaking positions are still dominated by members of the administrative service that was the most prestigious and powerful during the British colonial period. This indicates that the colonial legacy still persists, much to the dissatisfaction of other cadre services, especially those with members who possess specialist expertise and knowledge.

Along with reducing elitism in bureaucracy, another key issue is to increase representativeness in the civil service in terms of gender, religion, caste, regions, and ethnicity. The argument in support of this is that in a democracy, a more representative bureaucracy results in inclusive governance, which leads to the government enjoying greater legitimacy and acceptance in society. To enhance bureaucratic representativeness, different policies in the guise of affirmative action or a quota system have been introduced. Quota systems have led to more inclusion of women in the civil service, while certain ethnic, religious, and caste groups still have moderate representation. Women are primarily represented at the entry level, while higher positions are still generally dominated by men. In the case of Nepal and Sri Lanka, these higher positions also tend to be dominated by certain religious and ethnic groups. A pertinent question, then, is whether an unrepresentative bureaucracy necessarily leads to a civil service that is more elitist and detached from society (Jamil and Dangal 2009).

The book describes and discusses the composition of civil service, the role of public service commissions in the recruitment, promotion, and training of civil servants, and reforms initiatives undertaken by various regimes in South Asia, in order to make the civil service adaptive, effective, and efficient. The contributors to this book come from the South Asian countries that are under discussion. They are either academics or belong to the public administration in these countries. All the contributors have extensive experience in conducting research and writing about the administrative affairs and practices of their country, and they give

readers an insider perspective on the development, dynamics, challenges, and barriers in the South Asian civil service systems.

THE CONCEPT OF CIVIL SERVICE

The British East India Company first coined the term ‘civil service’ to distinguish military and non-military personnel. When it was used by Britain in 1854, with the aim of recruiting government personnel through open and competitive examinations (except for the military and the judiciary branch), the term became popular worldwide (*International Encyclopedia of Social Science* 1972, p. 495).

In ancient India (2000 BC–1200) and during the pre-Mughal and Mughal periods (1200–1757), the concept of civil service in its present form was little known. There was nevertheless some form of civil service, where recruitment was made on the basis of merit or due to the men being of high standing, but they were mostly kings’ men and were in service at the pleasure of the kings. It was during the British colonial period (1757–1947) that the modern concept of civil service, as well as the closely related concepts of recruitment, promotion, authority, prestige, and permanence gained the meaning they have today. From being personal servants of the kings and emperors in ancient India and during subsequent periods under Muslim rule, the civil service in the British colonial period came to be based on impersonal rules, standard operating procedures, and rule of law. The ICS resembled what Max Weber termed a legal-rational authority system, that is, a bureaucracy characterized by merit-based recruitment and promotion, hierarchy, fixed salary, separation between private and official life, impersonal order (official functions bound by rules), tenure of service, and stability (Sabharwal and Berman 2013, pp. 4–9; Parashar 2003, p. 3).

There is no universally accepted definition of civil service. A UN 1966 report says that teachers are considered civil servants in some countries but not in others. In some places in the world, train drivers, aeroplane pilots, nurses, and police are considered civil servants. Elsewhere, Supreme Court judges are not considered as civil servants, but judges of lower courts are. Likewise, employees working in local government are not considered civil servants in most countries, but in some countries they certainly are (UN 1966, p. 6). Finer (1977, p. 709) defines civil service thus: ‘a professional body of officials, permanent, paid and skilled’.

Despite different definitions of civil service, the International Encyclopedia of Social Sciences highlights the following features: non-military public service, legal base, personnel administration, guided by certain rules and regulation from recruitment to retirement, guarantee of job, status and prestige, and political neutrality. Earlier, when nations commonly waged war in order to extend their territory, high-level officials were military personnel. When the concepts of democracy and civil society emerged in the West, the governing system came to be based on the people's verdict rather than on war, violence, threats, and terrorism. Thus, governing systems that were ruled by civil administrators distinguished themselves from military rule.

CIVIL SERVANTS IN SOUTH ASIA

The definition of civil service in South Asia varies. Nepal and Bhutan define it in the same way: civil service refers to all position in services other than in the army and the police force. In Bangladesh, India, Pakistan, and the Maldives, civil service refers to functional cadres recruited by the given country's public service commission, and in each case, it includes the police force (Table 1.1). In the case of Afghanistan, a person who is appointed by the president to perform executive and administrative duties based on the provision of law is called a civil servant (For detailed definition of civil service in South Asia, see Appendix 1).

Table 1.1 Civil servants in South Asia

<i>Name of countries</i>	<i>No of civil servants</i>	<i>Population (M)</i>	<i>Ratio</i>
Afghanistan	75,000 (1%)	32	1:427
Bangladesh	1,200,000 (8%)	159.9	1:134
Bhutan	26,000 (>1%)	0.779	1:30
India	10,000,000 (67%)	1276.2	1:128
Maldives	25,000 (>1%)	0.38	1:16
Nepal	80,000 (1%)	28.4	1:355
Pakistan	3,400,000 (23%)	190.4	1:56
Sri Lanka	98,000 (1%)	21.7	1:222
Total	14,904,000 (100%)	1709.76	1:115

Source Compiled from articles in this book

Note Here civil servants refer to all public employees

About 15 million civil servants are employed in South Asia to serve 1.7 billion people. This means there is about one civil servant for every 115 people. However, the number of civil servants varies from country to country. India has the highest number of civil servants (about 10 million) for its 1.3 billion people. Then comes Pakistan, which has 3.4 million civil servants to serve 190 million people. Bangladesh has around 1.2 million civil servants for 160 million people. The Maldives and Bhutan have the lowest number of civil servants, but they are also tiny nations compared to their big neighbours. These two countries, however, have the lowest civil service-population ratio in South Asia, meaning that relatively more civil servants are engaged in providing citizens with public services.

In terms of the size and representativeness of civil service, two issues have always raised debate: one is whether the civil service in South Asia is under or over bureaucratized, and the other is women's representation in the civil service. These two issues may seem contradictory, in as much as one is about downsizing, since it is argued that bureaucracy is oversized in South Asia, while the other seems to demand an increase in bureaucracy in order to achieve representativeness in terms of gender and other minority, ethnic, and disadvantaged groups. Some South Asian nations (Bangladesh, India, Pakistan, and Nepal) have introduced affirmative policies or a quota system to increase the number of women and other disadvantaged groups in the civil service.

COMPOSITION OF CIVIL SERVICE IN SOUTH ASIA

The structure of civil service in South Asia is mainly based on 'rank classification' or 'position classification'. While Bhutan has position classification, all other member states have a rank-based classification structure. In a case of rank classification, a person is recruited to a service or cadre such as the administrative service, the Foreign Service or the police force and not to a particular post; in a case of position classification, a person is recruited to particular posts based on his or her expertise in relation to the job description. Bangladesh has 28 functional and non-functional cadres, including gazetted (publicly announced) and non-gazetted public employees. In India, 29 services are grouped into (1) (18 services—Indian Foreign Service, Indian Revenue Service, Indian Audit, and Account Service, etc.), (2) (9 services—Union Territories Administrative Service, Union Territories Police Service, Central Secretariat Service,

etc.), (3) (service related to official support), and (4) (service related to auxiliary wing). Pakistan has 22 such groupings, Sri Lanka has nine, and the Maldives has only two. There is no proper grading or grouping system in Afghanistan. Bhutan has four position categories based on position classification (executive and specialist, professional and management, supervisory and support, and operational), and altogether 19 major occupational groups and 94 sub-groups.

THE PUBLIC SERVICE COMMISSION AND THE RECRUITMENT OF CIVIL SERVANTS IN SOUTH ASIA

In South Asia, all SAARC member states except Afghanistan have a constitutional body, that is, a Public Service Commission for recruiting civil servants. In Bhutan, the Royal Civil Service Commission (RCSC) was established to recruit civil servants on the basis of merit. The selection tools used by RCSC are interviews (50%), academic and other relevant training (25%), and written and practical examinations (25%). In Bangladesh, the Public Service Commission (Article 131–141) recruits civil service personnel and also plays an advisory role to the government. When selecting civil servants, there can be a total of 1300 ‘marks’ involved: 200 are required for preliminary qualification, up to 900 can be earned through taking a written exam, and 200 marks can be earned through an oral exam.

India has two public service commissions: the Union Public Service Commission (Article 315) recruits personnel for central services, and the State Public Service Commission recruits for services at the provincial-level of government. In India, there are three layers of selection. The first layer consists of a preliminary exam which can earn an applicant a maximum of 400 marks. The second is the main exam worth a total of 1000 marks. 600 marks can be earned through taking exams in optional subjects. The third layer consists of an interview which can earn an applicant a total of 275 marks. The Civil Service Commission in the Maldives centrally manages the entire civil service in all aspects. Nepal’s Public Service Commission conducts examinations for the selection of suitable candidates to the central government, whereas the State Service Commission holds exams for the provincial-level civil service. The total number of marks for the section officer’s exam that a Nepalese applicant can earn is 560: 200 for the preliminary exam, 300 for the main exam, and 60 for the interview. In Pakistan, recruitment carried out

by the Federal and Provincial Public Service Commission is limited to officer-level positions in the categories BPS-16 and above. Lower-level recruitment is the responsibility of departmental selection committees headed by the given department's secretary. The Pakistan Public Service Commission conducts rigorous examinations offering a total of 1100 marks. In Sri Lanka, the Public Service Commission appoints suitable candidates for the civil service. In Afghanistan, the Civil Service Appointment Board, which is not a constitutional body, recruits civil servants.

All South Asian countries except Afghanistan and the Maldives emphasize the merit-based selection of civil servants through an independent constitutional body. These bodies mainly perform two functions, namely, to recruit civil servants through open competition, and they play an advisory role for recruitment, promotion, the transfer of civil servants, and departmental action against civil servants. Some questions, however, can be raised about the recruitment process practiced by these bodies. For example, do written tests attract the talented and meritorious candidates that are needed to fulfil the civil service's diverse and multiple objectives? To what extent can the mindset, worldview, attitude, and behaviour of candidates be judged in written examinations? After recruitment, do the civil servants' placement and transfer to different ministries, agencies, or local government foster loyalty and commitment to a particular organization, or are their loyalties and commitments invested in the cadre service to which they are recruited? If recruitment is of a generalist nature (due to the generalist cadre's hegemony), irrespective of a recruit's education, does this lead to a generalist-specialist conflict?

Most of the civil servants, especially those belonging to the cadre services, are recruited on the basis of merit. Entry is at the junior level, and personnel are then promoted on the basis of merit. However, the demand for representativeness in bureaucracy has led to the introduction of quotas and affirmative policies allowing a greater inclusion of women, ethnic and indigenous groups, and other disadvantaged groups. This inclusive policy has been criticized because it is alleged to compromise merit and result in the recruitment of mediocre candidates. While the share of some percentage of government jobs are reserved for people of particular castes in India, in Bangladesh civil bureaucracy, most of the quotas (30%) are filled by those who fought in the war of independence from Pakistan in 1971 and their descendants. A further 26% is reserved for other groups such as women, ethnic minorities, disadvantaged

groups, and physically challenged. Only 44% are based on merit. This number unacceptable to the youths and students led to spiralling series of protests and sit-ins in Dhaka and other parts of Bangladesh. Faced with these protests, the Prime Minister of Bangladesh Sheikh Hasina declared abolition of all quotas in April 2018, but no official follow-up was made after that declaration and students and youths are preparing for counter demonstrations (The Economist, 21st April, 2018).

PROMOTION IN SOUTH ASIAN CIVIL SERVICE

There are variations in the promotion of civil servants. In Bhutan, promotion is based on open competition, with criteria ranging from academic qualification and training to performance, experience, and potentiality. In Bangladesh, it is mostly based on seniority. In the case of India, the commission first prepares a vacancy list, then a list indicating seniority and eligibility. Those who seek promotion must have an integrity certificate. On the basis of these factors, civil servants are promoted, but the process seems mainly to be based on seniority. This means the Government of India has not yet managed to find a credible criterion for weeding out the unfit and promoting only the meritorious (IIPA 2012, p. ix). It is also worth noting that delays and subjectivity in recording appraisal reports have been major problems for some civil servants seeking promotion (Kapur 2012). In the case of Pakistan, the official criteria for promotion are that the individual has had a minimum length of service as well as training and a departmental examination. Nevertheless, it is alleged that without proper networking with political or military leaders, promotion and lucrative postings are unattainable (Crisis Group 2010). Likewise in Nepal, to be promoted, a civil servant must be evaluated in the areas of performance, educational qualification, seniority, training, and service in classified areas, but getting promoted to higher-level positions depends largely on political clientelism, that is, that the civil servant has political connections and displays the right political colour.

THE TRAINING OF CIVIL SERVANTS IN SOUTH ASIA

In each South Asian country, there are provisions for training civil servants in accordance with civil service rules and regulations. According to Afghanistan's Civil Service Law, the objective of training civil

servants is to develop their skills, knowledge, and professional experience. In Bangladesh, the Bangladesh Public Administration Training Centre (BPATC) provides training to members of all cadres. Two types of training are on offer: post-entry training and in-service training. At BPATC and other training institutes, what is called ‘foundation training’ is mandatory and given to the newly appointed civil servants belonging to different cadres. BPATC also conducts mid-level and senior-level training courses on a regular basis. However, despite the professional courses that are offered by the training institutes, their effectiveness is hindered because training performance is not attached to career advancement (Ali 2004, p. 139). Still, career planning, which was a neglected area in the past, is now being revisited and revamped in order for it to be more effective for career advancement.

In Bhutan, there are two types of training courses: pre-service training and short-term training. Pre-service training aims to ensure that a new recruit is properly inducted into the civil service and has the skills, knowledge, and competence that are appropriate and necessary for the position. Short-term training includes counterpart training, attachment and internship, study tours and certification, and the diploma courses can be up to six months long.

The training of civil servants in India is guided by the National Training Policy (2012). There are different academies which provide the necessary training for the different services in the country. For example, Lal Bahadur Shastri National Academy of Administration, located in Mussoorie, trains members of the Indian Administrative Service. The Indian Police Service is trained at Sardar Vallabhbhai Patel National Police Academy, Hyderabad, and the school for the Indian Foreign Service is the Foreign Service Institute in New Delhi. A general complaint, however, is that those who provide these training programs lack understanding and skills necessary for making any worthwhile contribution during discussions, or for advising officers and political leaders at the decision-making level (Kapur 2012, pp. 417–418).

In the Maldives, the Civil Service Training Institute provides training at the pre-entry level and the in-service level. Nepalese civil servants are trained at Nepal Administrative Staff College and other training institutes. They are guided by the Training Policy of 2014, which emphasizes skills and knowledge as well as the formation of civil servants’ attitudes about providing services. These institutes offer basic training, on the job training, advanced training, and pre-retirement training. In Pakistan,

the National Management College and National School of Public Policy offer pre-service training and in-service training for civil service. However, qualified and motivated instructors in government training programmes are lacking. Most instructors are serving officers who regard these postings as punishment (Crisis Group 2010). Finally, the Sri Lanka Institute of Development Administration provides civil servants with training, knowledge and the opportunity to improve their skills.

In sum, the training of civil servants in South Asia is a mandatory provision that is regulated by civil service acts. Almost all countries have separate training institutes for civil service. These institutes conduct both pre-entry training and in-service training with the objective of developing human resources and equipping civil servants for competent and effective service delivery. Some institutes, however, lack competent teachers and up-to-date syllabi that are compatible with the contemporary governance issues and modern management practices emphasizing not only processes but also results, i.e. from input to both input and output. Trainees may also consider the coursework as giving them an opportunity for promotion rather than as a means for gaining knowledge that can enhance their work performance.

ADMINISTRATIVE REFORMS IN SOUTH ASIA

Administrative reforms are common in South Asian countries. They are meant to streamline the structure and function of administrative bodies in accordance with changes in politics, societal demands, and international advocacy. Even though Afghanistan has suffered due to many years of internal conflict, it adopted a new constitution in 2004 and has sought to reform its administration and political system. It established an independent Administrative Reform and Civil Service Commission in 2002, with the objective of regulating and reforming its public administrative system. Following the commission's recommendation, it revised its civil service law in 2005.

Bangladesh gained independence in 1971, and since then, its successive governments have set up commissions and committees—17 in all—for administrative reform (for details, see Table 1.3 in appendix 3). Until 1991, the country was ruled by either military or quasi-military regimes. Since 1991 it has, through a constitutional amendment, followed a Westminster model of parliamentary democracy. The reform commissions and their recommendations since 1971 have tried to address

a plethora of problems: The National Pay Commission (1972) and the Administrative and Service Reorganization Commission (1972) dealt exclusively with the civil service. Others, for instance, the Public Administration Sector Study and the Public Administration Reform Commission (2000) encompassed the entire public sector. The Committee for Administrative Reforms and Reorganization (1982), by contrast, focused mainly on decentralization. The Public Administration Reform Commission emphasized introducing e-government through its Digital Bangladesh Campaign. It is an agenda of the current regime to establish digital governance by 2021. This agenda, however, has little impacts on Bangladesh's civil service. It is argued that administrative reforms in Bangladesh are undertaken mainly to consolidate the power of the regime, yet without it paying serious attention to social demands (Rabbi and As-Saber 2012).

In Bhutan, civil service reform attempts have been made to achieve good governance. Many of these reforms were undertaken following the Good Governance and Good Governance Plus exercises initiated in 1999 and 2005. At the core of these administrative reforms was the introduction of the position classification system in 2006, to promote meritocracy in the civil service and high standards of efficiency, transparency, professionalism, and accountability. Moreover, in 2007, the Government of Bhutan embarked on an organizational development exercise to define the optimal size of the civil service, its structures, capacity building, and staffing. A Grievance Cell was also created within the Prime Minister's Office in 2008, as a platform for the public to express their grievances and to help improve public service delivery. The RCSC was constituted in 2009 on the basis of constitutional provisions, and a chairperson and four new commissioners were appointed. To help regulate and further improve the civil service in Bhutan, the Civil Service Act of 2009 (amended again in 2012) was also implemented.

In India there have been two administrative reforms commissions and nine civil service reviews and public administration committees (for details, see Table 1.4 in appendix 3). The First Administrative Reform Commission (1966) recommended that there be a single competitive examination for the 'class I' civil services, lateral entry to technical posts at the senior level, the discontinuation of direct recruitment to 'class II' services, and simple and objective types of questions on the exams for those applying for clerical positions. The Second Administrative Reform Commission (2005–2008) put stress on lateral entry for senior management posts,

direct recruitment for a certain percentage of vacancies for specialized group 'B' posts (in order to infuse fresh thinking), and a limit of 20–25 years of age for all positions in groups 'B & C' that require a graduate degree. This reform measure assimilated the ideas of strategic human resource management. There have also been reform efforts focusing on recruitment, Indian administration, and pay scale. However, critical issues of reforms such as downsizing and entrepreneurial and managerial civil service have not been resolved due to political instability and political differences (Mishra 1997; Sangita 2012).

In the Maldives, the administrative system up to the 1960s was dominated by a constitutional monarchy. Due to political change from the 1960s to the 1990s, power was further centralized in the office of the president. Since the 1990s, however, a limited amount of power has been delegated, and reform initiatives have had limited success (Faizal and Laking 2013).

The administrative reform journey of Nepal started in the 1950s (For details, see Table 1.2 in appendix 3). It has established reform committees and commissions and devised master plans. These reform initiatives have mainly taken place due to changes in political regimes. Four such attempts were made from 1950 to 1975, with the focus on establishing organizational structures and formulating rules and regulations. Since political changes in the 1990s, eight reforms have been undertaken. Their focus has been on New Public Management (NPM) and performance. As a result, the government has revised the civil service law (first in 1993, and four more times since then), formulated a right to information act (2007) and a good governance act (2008). But despite the many recommendations, only a few have been enacted as laws, and even after enactment, the laws have not been implemented due to a lack of commitment and political will on the part of the governments (Gautam 2013).

From 1949 to the present, Pakistan has set up nine commissions and/or committees to reform its administrative system (For details, see Table 1.5 in appendix 3). Some of these have focused on civil service reform, some on administrative reorganization and development, and some on pay for civil service personnel. The experience of civil service reforms in Pakistan shows that the implementation of reforms is affected by the unstable political situation. Some civil servants enjoy the perks of civil service through maintaining the status quo. The coalitional governments are weak. They must contend with many serious issues pertaining to the economy, emerging militancy, national security, and so forth.

The implementation of reforms has therefore become a secondary issue. There is widespread doubt over whether it will ever be possible to successfully implement reforms in Pakistan's civil service, and for two main reasons: the first is the long history of failed reform attempts; the second relates to intra-service rivalry. Furthermore, the over-centralization of powers and functions has consistently undermined any serious attempts at civil service reform in particular and in the administrative system in general (Crisis Group 2010, p. 15).

Sri Lanka has made more than half a dozen reforms attempts (For details, see Table 1.6 in appendix 3). The Language Act of 1956 made Sinhala the official language. In the 1980s, public enterprises were privatized to improve efficiency and productivity through private capital investment, technology, and expertise. In 1987, Sri Lanka's government set up the Administrative Reform Committee to identify deficiencies in three key areas which obstructed the nation's progress. These areas include the structure, personnel system, and works system and procedure. It also recommended setting up an independent public service commission. The Provincial Act was formulated in 1987 with the aim of devolving power and authority to the provincial level in order to make service delivery effective. On the basis of suggestions made by the United Nations Development Programme and the Asian Development Bank, Sri Lanka, in 1997, established an Administrative Reform Management Division under the president and management council and chaired by the president. Despite the division's recommendation to reduce the number of ministries and to streamline their tasks, many new ministries were created. Also in accordance with administrative reform efforts, the government, in 2010, tried again to create a citizen-friendly, productive and efficient public service. However, as Liyanage et al. (2016) have opined, administrative reform initiatives in Sri Lanka have suffered from weak public policy management, a lack of system-wide accountability, a lack of transparency in government business, excessive politicization, and poor information management.

LOCAL GOVERNANCE SYSTEMS IN SOUTH ASIA

In South Asian countries, there are two types of local administrative systems: federal and unitary. India, Nepal and Pakistan have a federal structure, whereas Afghanistan, Bhutan, Bangladesh, the Maldives, and Sri

Lanka have a unitary local governance system. India is a federal republic with three spheres of government: central (union), state, and local. The country has in fact a total of 257,000 local governments, of which 608 are councils at the district level, 6614 are at the rural level, 245,027 are at the village level, and 4751 municipalities are at the urban level (India Country Profile 2017). Nepal, meanwhile, is divided into seven states, 77 district coordination committees, and 753 local bodies. The local bodies are further divided into 293 municipalities and 460 rural municipalities (GoN 2017). In Pakistan, there are four provinces, the Federally Administered Tribal Areas (FATA), one capital territory (Islamabad) and the Jammu-Kashmir disputed areas. The four provinces are further divided into 129 district councils at the district level, 619 urban councils at the municipal level, 1925 rural councils at the village level, and 3408 administrative centres at the sub-district level (Pakistan Country Profile 2017). Even though the power and authority to deliver social services, to generate revenue, to run the local administration and so forth at local level are constitutionally devolved in these countries, the local governments are hardly able to meet their responsibilities because the provincial and central government control the resources.

The local government of Afghanistan is organized into provincial councils, district councils, municipalities, and villages. There are 217 provincial and rural municipalities and more than 40,000 rural areas which are not municipalities (Habib 2013). Bhutan has 20 districts councils, 205 village councils, and 61 municipal councils. Bangladesh has 64 districts councils, 490 sub-district councils, and 4554 union councils. There are also 116 city corporations and 323 municipalities (Bangladesh Country Profile 2017). Likewise in Sri Lanka, there are 335 local authorities, of which 23 are municipal councils, 41 are urban councils, and 271 are rural or provincial councils (Sri Lanka Country Profile 2017). The Maldives runs local governance through 19 atoll councils, two city councils, and 188 island councils (Maldives Country Profile 2017). Even though these five countries (Afghanistan, Bhutan, Bangladesh, Sri Lanka, and the Maldives) have adopted a unitary local governance system to devolve power and authority to the local level, the local governments are unable to function properly due to their financial dependence on the central government and the tradition of centralism. The centrally appointed bureaucrats also dominate the local governments, despite there being local elected bodies.

CONTENTS OF THE BOOK

This book describes the civil service management experiences and administrative systems of South Asia and beyond. It has 14 chapters including the present one. In Chapter 2, ‘The Civil Service System in Bhutan’, Dhruva Rizal highlights various attempts to reform the Bhutanese civil service. He discusses the challenges it faces which are not properly diagnosed and addressed. The recommendations of different commissions to introduce changes in the Bhutanese civil service have been made without a proper understanding of the context.

In Chapter 3, ‘The Civil Service System of Bangladesh’, S. K. Tawfique Haque and Mahfuzul Haque present a historical overview of the efforts to modernize Bangladesh’s civil service. They argue that past recommendations made by various reforms commissions should be revisited because trust in the civil service has eroded due to political abuse.

Namrata Agrawal discusses ‘Civil Service Management in India’ in Chapter 4. She argues that the legacy which the British East India Company bequeathed to the country’s civil service is still alive, even though attempts have been made to reform the civil service system since the country’s independence in 1947. She highlights political interference and corruption as basic challenges for the civil service of India.

Shree Krishna Shrestha and Narendra Raj Paudel have contributed Chapter 5: ‘Civil Service Management in Nepal’. They argue that the efforts to streamline civil service in Nepal are made on an ad hoc basis and, as a result, have failed to produce the tangible results that were expected. They also discuss managerial aspects such as recruitment, promotion, training, the code of conduct of civil servants, and reforms attempts.

The objective of Chapter 6 by Ishtiaq Jamil is to establish a linkage between representative bureaucracy and trustworthiness of civil servants in Nepal. The paper asks two questions. Has the bureaucracy become more representative after the introduction of affirmative policies? Does the bureaucracy attract more positive evaluation of citizens? The central hypothesis of the paper is that a representative bureaucracy generates more legitimacy and hence more trustworthiness in society.

In Chapter 7, ‘Civil Service Reforms in the Islamic Republic of Pakistan’, Imtiaz Badshah and Konstantin Timoshenko describe and analyse contemporary civil service reforms in the country.

Mohamed Faizal and Rob Laking have contributed Chapter 8: ‘The New Statutory Civil Service in the Maldives: Towards a Decentralized Human Resource Management Model?’. They argue that due to the infancy of the statutory civil service and the past centralized practices, the effectiveness and adaptability of a decentralized model to the Maldivian context is constantly questioned by policymakers. Furthermore, due to the Maldives being an emerging democracy, there is ongoing contestation between politics and administration. Although the establishment of a statutory civil service has led to a more widespread application of merit-based principles in appointment, any delegated or decentralized human resource model is at risk of political intervention.

In Chapter 9, ‘The Civil Service Administration in Sri Lanka: An Analysis of Evolution, Trends, and Challenges in Public Personnel Management’, Ravindra Gunasekara, Renuka Priyantha, and Ranjith Dickwella analyse the historical evolution of personnel management practices of the civil service system. The authors’ main focus is on analysing and understanding the bureau-pathology of administration in Sri Lanka.

Pranab Kumar Panday, in Chapter 10, ‘The Administrative System in Bangladesh: Reform Initiatives without Outcomes’, provides an overview of the administrative structure in Bangladesh, highlighting administrative reforms inspired by trends in NPM as well as other major trends in the country’s administrative system. He argues that although successive governments have pursued reform initiatives in order to streamline the administrative system of the country, most of the initiatives have not been implemented. Most importantly, the introduction of different principles of NPM in the administrative system has been unsuccessful. As an outcome of these failures, the administrative system in Bangladesh is still characterized by a high degree of politicization, bureaucratic dominance, alack of capacity of the state to meet the basic needs of citizens, as well as deteriorating law and order.

In Chapter 11, Bharat Gautam describes evolutionary changes in the administrative system in Nepal. He argues that there is confusion between political and administrative perspectives in efforts to transform the existing unitary system into a federal form of governance. He further argues that the civil service’s performance in delivering services will remain a critical issue even if the country adopts a federal administrative system.

Jitendra G. Wasnik presents ‘The Local Administrative System in India’ in Chapter 12. He describes sequential amendments to the Indian constitutions and their effect on local administration. He argues that the changes that were made in order to make local governments more democratic, more participative, and to increase women’s leadership could not be introduced due to political interference.

In Chapter 13, ‘Public Administration in Sri Lanka: An Inquiry into Structure, Reforms and Management’, K. Liyanage, R. Ramesh and N. Sivakumar suggest that the administrative system of Sri Lanka has not changed much since the country gained independence. Public institutions are more inclined to maintain procedural standards than to follow up developmental efforts. As a result, the administrative system has become more complex, complicated, inefficient, and corrupt.

In Chapter 14, ‘The Development of Public Administration in the People’s Republic of China: An Analysis of Administrative Reform’, S. Baskaran and M. M. Ihjas describe public administration in the country as the government’s major tool for fulfilling citizens’ needs. They discuss China’s administrative reforms since the 1980s, particularly those meant to deal with rapid economic development and social challenges. The main focus of reform attempts has been on decentralization and the restructuring of government organizations. However, the authors argue that episodic administrative reforms are insufficient for counteracting the highly interfering administrative system.

APPENDIX I: DEFINITIONS OF CIVIL SERVICE OR CIVIL SERVANTS IN SOUTH ASIA

Country	Definition of civil service or civil servants
Pakistan	The Civil Servants Act of 1973 defines ‘civil servant’ in Section 2 (b) as a person who is a member of an All Pakistan service or of a civil service of the federation or who holds a civil post in connection with the affairs of the federation, including any such post connected with defence
Nepal	As per the Constitution of Nepal (1990, 2006, 2015), a ‘position in the civil service’ means all positions in services of the Government of Nepal, <i>other than</i> in the army, the Nepal armed police force, the Nepal police and other such positions in the services as are excluded by legislation from the civil service

(continued)

(continued)

Country	Definition of civil service or civil servants
Afghanistan	A civil servant is a person appointed by the government to perform its executive and administrative duties based on the provision in law. The rank and grade of civil servants is regulated according to the relevant legal document
Bhutan	The term 'civil servant' applies to the employees of all agencies within the civil service, including personnel working on contract, general service personnel and elementary service personnel. It does not, however, apply to elected representatives, judges, members of constitutional bodies, the Royal Bhutan Police, and the armed forces
Maldives	The Maldivian civil service is composed of the responsible officers of the main offices of the government and the employees of the civil service, deputy ministers, the executive secretary to the president, the Maldivian army. Employees of state enterprises are not part of the civil service
India	As per the Constitution of India, article 312, the Indian Administrative Service, the Indian Police Service and the Indian Forest Service are civil services. Civil servants are employees paid from the civil list
Bangladesh	Bangladesh's civil service includes officials serving in the various functional cadres recruited by the Public Service Commission through an open competitive examination. It does not include officials recruited in parastatals, corporations, autonomous or semi-autonomous bodies

Source Civil service acts, rules and regulations of the respective countries

APPENDIX 2: FUNCTIONS OF CIVIL SERVICE

Role	Functions
Economic	Macroeconomic management, agriculture, food security and irrigation, land reform and management, industry, commerce and supply management, tourism and culture, forest and soil-conservation, auditing
Social	Education, health, nutrition and sanitation, social security and protection, inclusiveness (gender, ethnic, religious, regional), mobilization of youth, capacity development, labour and employment, sports, decentralization, local self-rule, local development
Infrastructure	Energy (electricity, alternative energy), drinking water, transportation, construction and management, information and communication, science and technology, environmental management and climate change, urban and rural development
Governance	Secretarial services to the country's council of ministers, supervision and coordination, civil administration selection management, peace and security, defence, foreign affairs and economic diplomacy, law, justice and parliamentary affairs, reconstruction and rehabilitation, corruption control, statistics and planning

Source Bajracharya and Grace (2014, p. 10)

APPENDIXES 3: ADMINISTRATIVE INITIATIVES IN SOUTH ASIA

See Tables 1.2, 1.3, 1.4, 1.5 and 1.6.

Table 1.2 Administrative reform initiatives in Nepal

<i>Name</i>	<i>Commission's name or description</i>	<i>Year</i>
N. M. Butch	Administrative Restructuring Committee	1952
T. P. Acharya	Administrative Restructuring Planning Commission	1956
B. N. Jha	Administrative Reform Commission	1968
B. B. Thapa	Administrative Reform Commission	1975
G. P. Koirala	Administrative Reform Commission	1991
	Administrative Reform Guidelines	2004
P. Bhusal	Administrative Restructuring Commission	2008
K. R. Dahal	High Level Administrative Reform Implementation and Monitoring Committee	2015

Source Government of Nepal, High Level Administration Reform Implementation and Monitoring Committee (2015). *Report of Administrative Reform Implementation, 2072*, Kathmandu: Government of Nepal

Table 1.3 Bangladeshi reform commission initiatives

<i>Committee/Commission</i>	<i>Year</i>	<i>Main focus</i>
Administrative and Services Reorganization Commission (ASRC)	1972	Civil service structure
National Pay Commission (NPC-I)	1972	Pay issues
Pay and Service Commission (P&SC)	1977	Civil service structure and pay
Martial Law Committee (MLCI) for examining the organizational setup of ministries, division, directorates and other organization	1982	Reorganization and rationalization of manpower
Committee for Administrative Reform and Reorganization (CARR)	1982	Structure and organization of the civil administration
National Pay Commission-II	1984	Pay issues
Special Committee to Review the Structure of Senior Service Pool (SSP)	1985	Structure of the Senior Service Pool (SSP)
Cabinet Sub-Committee	1987	SSP and promotion aspect
Council Committee on Senior Appointment and Service Structure	1987	SSP
Committee to Re-examine the Necessity of Keeping Certain Government Offices in the Light of Changed Circumstances (Muyeed Committee)	1989	Reviewing the recommendation of the MLCI

(continued)

Table 1.3 (continued)

<i>Committee/Commission</i>	<i>Year</i>	<i>Main focus</i>
National Pay Commission-III	1989	Pay issues
National Pay Commission-IV	1996	Pay issues
Administrative Reorganization Committee (ARC)	1996	Structure and organization of manpower
Public Administration Reform Commission (PARC)	2000	Public sector reform
National Pay Commission-V	2005	Pay issues
National Pay Commission-VI	2008	Pay issues

Source Rabbi and As-Saber (2012) and chapter by Pranab Kumar Panday in the present book

Table 1.4 Administrative reform commissions in India

<i>Committee/Commission</i>	<i>Main Focus</i>	<i>Year</i>
Goplaswami Ayyangar Committee	Reorganization of the machinery government	1949
A. D. Gorwala Committee	Public administration	1951
Paul Appleby Committee	Indian administration	1953 & 56
Ramaswami Mudaliar Committee	Public service (qualification for recruitment)	1956
V. T. Krishnanchar Committee	India and state administration service and problems of district administration	1962
First Administrative Reform Commission	Administrative reform commission	1966–70
D. S. Kothari Committee	Recruitment policy and selection methods	1976
Y. K. Alagh Committee	Civil service review	2001
Surinder Nath Committee	System of performance appraisal, promotion, empanelment, and placement for Indian Administrative Service and other group 'A' services	2003
P. C. Hota Committee	Civil service reform	2004
Second Administrative Reforms Commission	Administrative reforms	2005–08
Sixth Central Pay Commission	Pay revision along with modernization of government	2008

Source Mishra (1997) and Institute of Indian Public Administration (2012, pp. 571–596)

Table 1.5 Administrative reform initiatives in Pakistan

<i>Chairman</i>	<i>Name or main focus</i>	<i>Year</i>
M. Munir	Pay and service	1949
R. Egger	Improve the public administration of Pakistan	1953
B. Gladieux	Reorganization of Pakistan's government for development	1955
G. Ahmad	Administrative reorganization of Pakistan	1961
A. R. Cornelius	Pay and Service Commission Report 1959–62	1962
K. H. Meer	Administrative Reform Commission Report	1973
Anwar-ul-Haq	The Civil Services Commission Report	1981
	National Reconstruction Bureau	2001
	The National Commission on Government Reform	2008

Source Khurshid (2006)

Table 1.6 Administrative reform initiatives in Sri Lanka

<i>Name of reform initiative or description</i>	<i>Year</i>
Enactment of language act	1956
Privatization of public enterprises	1980
Establishment of administrative reform committee	1978
Introduction of provincial council	1988
United Nations Development Programme, mission	1990
Asian Development Bank, team	1996
Re-establishment of independent National Public Service Commission (Established in 1946)	2001 (again amended in 2010)
E-Sri Lanka development strategy	2002
Establishment of Ministry of Public Management Reforms	2010

Source Liyanage et al. (this book)

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CHAPTER 2

The Civil Service System in Bhutan

Dhurba Rizal

Bhutan is often portrayed as an exotic and mythical land, idealized and mystified as the last ‘Shangri-la’, the ‘Mecca of gross national happiness’. This has made the country a subject of interest to journalists, politicians, diplomats, academics, and common man alike (Rizal 2015, pp. 1–20). What is certainly not a myth is that Bhutan stands at the threshold of change. As both the society and the political scenario are transformed, it is imperative that the government sets its sights on creating and strengthening efficient civil service institutions that are proficient in managing the shifting times and challenges. Administration must be severed from politics: the government must strengthen the civil service as an apolitical body capable of initiating robust policies, regulations, and systems, so that the bureaucracy can complement the emerging functions and roles of government. The civil service is one of the basic elements of Bhutanese governance architecture. It forms the permanent structure and moral fibre of the Bhutanese system. The government has been the largest sector and the biggest employer in the country. This chapter presents an overview of Bhutan’s civil service, the aim being to facilitate greater understanding of the background for the country’s politics and to contribute to the debate on reform in South Asian public administration. The chapter is

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divided into (a) brief overview of the country and evolution of its civil service system, (b) the role and functions of Royal Service Commission, (c) the bureaucratic culture and challenges faced by Bhutan's civil service, and (d) a conclusion.

OVERVIEW OF THE COUNTRY

Bhutan is a small country. To the south is a small strip of low foothills at 160 meters above sea level, but as one travels north, rugged terrain looms up and the Himalayan peaks appear, rising over 7500 meters (Bhutan Statistical Yearbook 2010, pp. vi–vii). The kingdom borders on Chinese Tibet and the Indian states of Sikkim, West Bengal, Assam, and Arunachal Pradesh. Bhutan's land area is only 46,500 square kilometres, a little larger than Switzerland, and it has about 900,000 inhabitants (Rizal 2015, pp. 39–50). It is wedged between two economic juggernauts, India and China. This landlocked and rugged country is in a region characterized by geopolitical competition. It therefore occupies a place of great geopolitical and geostrategic importance. Despite its precarious geopolitical position, Bhutan was never colonized (Rizal 2002, p. 10; Bhutan Statistical Yearbook 2011, p. xiv). Since 2008 Bhutan has been a semi-authoritarian, constitutional, and monarchical democracy with three branches of government—the legislative, the executive, and the judiciary—but the constitution also gives official status to the Monastic Affairs Commission of the Drukpa Kagyu State religion. The three branches of government and the monastic commission have each their assigned role in the royal semi-democratic setup and are involved in the governance of the state. The king is head of state. Executive power, however, is exercised by the council of ministers, headed by the prime minister. Legislative power is vested in the bicameral parliament—the National Council (upper house) and the National Assembly (lower house). There are also many commissions, agencies, and institutions, and the most important for the present context is the Royal Civil Service Commission (RCSC) (The Constitution of the Kingdom of Bhutan 2008, p. 51). Administratively, the country is divided into four regions—eastern, western, southern, and central—and these, in turn, are divided into 20 *Dzongkhags* (districts). The *Dzongkhags* are subdivided into smaller units of 15 *Dungkhags* (subdivisions) and 205 *Gewogs* (blocks) (Rizal 2004, pp. 151–177). Bhutan's economy is mostly agrarian.

Despite the appearance of liberalization and democratization in recent years, the authoritarian exercise of power—power which is unaccountable to democratic institutions and processes of law—has been a central feature of different regime types in Bhutan, which have emerged since the late seventh century. Each has possessed a different mix of liberalism and authoritarianism. The four regime types that have emerged in the post-1594 political landscape are the unifying Zhabdrung regime (1594–1907), the monarchical-bureaucratic-authoritarian regime (1907–1952), the emergent monarchical-liberal-conservative regime (1952–2006); and the royal semi-authoritarianism electoral regime (2006–present) (Rizal 2015, pp. 48–70).

EVOLUTION OF THE CIVIL SERVICE SYSTEM OF BHUTAN

Although smaller societies like Bhutan are usually cohesive and cooperative, it does not follow that they are free of conflicts. In a civil service where everyone knows each other, it is difficult to perform professional duties in an unbiased way, as every public action will be examined through the prism of group interests.

In the early years of the twentieth century, Bhutan witnessed the inception of modern public administration and the emergence of an unsophisticated and embryonic civil service. Since then, it has developed and undergone several reforms at the same time as it has served whatever regime has been in power. The following paragraphs address the major developments.

The civil service system (1594–1907) Traditional societies such as one finds in Bhutan do not necessarily maintain a distinction between society, polity, and religion. The Bhutanese have long been tribal in social organization, Lamaist in faith, and medieval in their overall orientation. Religious faith has been supreme, and in fact no aspect of life is untouched by the religious establishment. The founder of the Bhutanese state, Ngawang Namgyal (1594–1651), was the first Zhabdrung, and he designed a system that was both secular and religious. In this theocratic political system, called *Chhoesid* (partly borrowed from Tibet in 1651 A.D.), the highest religious and political post was determined through the reincarnation process. To administer the dual system, Zhabdrung appointed two of his trusted followers, both Drukpa lamas from Ralung

Monastery, as his chief assistants in the religious and civil administration. The first was made *Dharma Raja* or *Je Khenpo* (head of the monks or chief abbot) and was entrusted with supervising Bhutan's religious establishment. If a Zhabdrung was a minor, the chief abbot would serve as regent, discharging duties as the head of the government and state. The second was placed in charge of civil administration with the title of *Deb Raja* or *Druk Desi* (head of temporal power in Bhutan). The two lamas were selected and appointed by a council consisting of high monastic officials (Bogle et al. 2002, pp. 3–14). The civil service consisted of the staff at the Druk Desi's court, the *Penlops* of the provinces (regional governors), the *Dzongpons* (governors), and their subordinates responsible to either the Druk Desi or one of the Penlops and the village headmen. The *Zimpon* (chief secretary), the *Debai Dronyer* (treasurer), the Zhabdrung's representative at the Druk Desi's court, and several lesser functionaries were also part of the civil service (Rose 1977, p. 3; Rizal 2002, pp. 10–50).

Secularization of the administrative apparatus and civil service personnel took place in the nineteenth century. Rennie (1970, p. 15) is the best source of authoritative information on eighteenth and nineteenth century Bhutan. He summarizes the institution of Zhabdrung and the embryonic civil Service in the following words:

In theory there is said to be an excellent system of Government in Bhutan. As the Government now exists, there is no doubt that it has two national heads, known to us and to the neighboring hill-tribes under the Hindoostanee [*sic*] names of the Dharma and the Deb Raja, though called by other names, as I am given to understand, by the Bhutanese themselves. The former is the spiritual head, the latter, and the temporal one. The theory of government in fact is framed somewhat in the same principle that now exists in Japan, which is ruled over by a spiritual king (the Mikado), who is not supposed to interfere in temporal matters, but to leave them to the care of Chief Executive Officer – The Tycoon. In Bhutan, however, the relative position of the temporal ruler differs from that of the Tycoon in Japan, the Tycoon possessing real power, while the Deb Raja is believed to have none at least at the present day as our latest intercourse with his Government has fully established.' (Rennie 1970, p. 15)

Rennie further observes that 'the Dhurma and Deb Rajas are supposed to be skilled in conducting the affairs of state by a ministerial council styled the Lenchen, composed of the permanent members. Whatever

may be the pandemonium about the number and the composition, Council function [*sic*] as a central personal body to govern the Country' (Rennie 1970, p. 15). The administration of Duars was placed under the control of provincial Penlops, who had jurisdiction over the local official called the district officer. The Duars such as Dalimkot, Lucke, and Buxa were placed under Subha and accountable to Paro Penlop (Rizal 2015, pp. 49–69).

The institution of the Zhabdrung and the early stage of the civil service lasted for almost 250 years (1651–1907). During this time, 55 Druk Desids ruled Bhutan for an average of 4.62 years each. Like any other political system in the world, it had both good and bad sides, and even though it has now been replaced, the memory of it still lingers in the political, religious, and socio-economic life of Bhutan. The basic administration of the country by the three penlops (regional governors) existed up to 1951, after which the country adopted the current district system. To recapitulate: the Zhabdrung unified the country and provided a political and administrative structure based on a dual system of government. However, power was eventually usurped by Tongsa Penlop, the great-great-grandfather of the present king, whereupon the country was transformed into a hereditary monarchy. The following section examines the civil service in this period of hereditary monarchy.

Civil service system (1907–1952) The civil service system of Bhutan did not evolve during the hereditary monarchy. The monarch provided the continuity of the Zhabdrung system but sought to centralize and consolidate power. There was no proper job classification, position classification, uniform pay, method or authority for the recruitment and dismissal of staff, or any job security. There was no clear definition of the terms of appointment, emoluments, responsibility, and accountability of officials. This had not been the case during the Zhabdrung system. During the period of heredity monarchy, the terms of appointment and emoluments were based on loyalty, allegiance, and subservience to royalty. Personnel administration was feudal, anachronistic, and muddled. The king appointed, dismissed, and punished civil servants according to his predilection and caprice. The functions of personnel administration such as acquisition, development, motivation, and maintenance were therefore very chaotic.

The first two kings ruled the country ruthlessly. The court was the hub of power but the king ruled through his own person. Power was far

too concentrated, as all appointments in the country were made by the king. This was much different from the Zhabdrung system, where decentralization was a unanimous ritual. The Bhutanese civil service system during this period of dynastic rule was characterized by high handedness, suppression, personal allegiance, extreme isolation, and technological primitivism. The whole system depended on the unqualified submission of the subjects to the traditional medieval methods of regimentation, exploitation, and oppression. The rulers and the ruled were poles apart. Rose (1977, pp. 34–50) summarizes the reigns of first two Kings and their administration:

With the exception of the noble role created for the Dorji family, the establishment of a hereditary monarchial system does not appear to have resulted in fundamental structural changes in the Bhutan administration during the reign of the first Wangchuk rulers. As *Druk Gyalpos*, (kings) the Wangchuk's [*sic*] introduced a strong centralization trend and carefully moved to concentrate full powers in their own hands.

The kings organized the civil services in order to strengthen the Wangchuk administration. In this period, the only mission of the civil services was to further the royal interests, and their role was totally regulatory.

Civil service system (1952–present) The third king continued with the civil service system fostered by the previous kings, but modified it in certain ways to suit the development and modernization needs of the country, making it much more organized and systematic. The modern history of Bhutan's civil service started in the 1960s. The third king envisioned that the administrators needed higher education, skills, and character. He therefore initiated the process of educating and training the civil servants inside the country by establishing modern schools as well as sending them to India for higher education. As a result, for more than 50 years, members of the civil service were educated and given special training in Indian universities and training centres. During the reign of the third king, development, modernization, enforcement of law and order, and the collection of revenue were the main concerns of civil servants.

Post-1972 Bhutan is unique in many ways. The country is now in the midst of socio-economic and political change. Several factors have contributed to this, but the key ones are the autocratic, coherent, and

cohesive system and structure of government. The vision that Bhutan has set for itself, as a peaceful, prosperous, and blissful country, is rooted in the unique development philosophy of ‘*Gross national happiness*’, one pillar of which is good governance. This is the key to robust public management and service delivery. Thus, after 1972, when the government took on the role of a welfare state, the civil services have acted as important tools for implementing national and state policies of welfare and planned development. The contemporary development of Bhutan’s civil service started in 1973, under the reign of the fourth king, the subject of the next section.

THE ROYAL CIVIL SERVICE COMMISSION OF BHUTAN

In Bhutan, the RCSC is a constitutional body, but its actual functions may be regulated by decrees of the King, statutes, or even executive decrees. Its primary duties are to recruit personnel for cadre posts and to advise the government on qualifications for and methods of recruitment. The RCSC enjoys a special status that allows it to strictly enforce the merit principle. The civil service system is constructed through interconnectivity amongst three main entities: the king and royal palace (a fixed entity), the RCSC (a semi-fixed entity), and the civil service law (a charter). These entities share and execute the civil service practices, and establish and develop the policies and regulations that control sectors. Put simply, the system could be described as two bodies interacting reciprocally within a set framework; the king and the palace work with the RCSC according to the rules and regulations of the charter.

The building of an efficient, dedicated, and honest civil service is an exigent enterprise that confronts any developing country. Bhutan is no exception. The Department of Manpower, a precursor to the RCSC, was established in 1973. As the civil service administration became more complex due to rapid socio-economic development, the government recognized the need to further strengthen the Central Personnel Agency with clear mandates. In 1977, by royal command, plans were initiated which resulted in the RCSC’s establishment in June 1982 under a royal charter. The RCSC introduced merit-based civil service with a clear set of criteria, rules, and regulations for recruitment, appointment, transfer, and promotion, including all career development opportunities. The commission is also responsible for human resource development, which mandates the establishment of merit-based procedures for selecting

students for higher education and training abroad. Furthermore, the RCSC is tasked to formulate and ensure the implementation of general policies to promote efficiency, loyalty, integrity, and a high level of morale amongst the civil servants (Rinzin 1989, p. 15). Article 26, Section 2 of the Constitution of the Kingdom of Bhutan (2008, p. 53) states the following:

The Commission shall consist of a chairperson and four other members appointed by the king from amongst eminent persons having such qualifications and experience as would enhance the performance of the Commission, from a list of names recommended jointly by the Prime Minister, the Chief Justice of Bhutan, the Speaker, the Chairperson of the National Council and Leader of the Opposition Party.

The king's concept of the bureaucracy is straightforward: 'A small, efficient and effective government that is clean and not corrupt whose members are well paid, well looked after and disciplined' (Ray and Sunanda 1984, p. 6).

Role and functions of the RCSC The success of the government depends largely on the way the public bureaucracy functions. An efficient and neutral public bureaucracy is essential for achieving a healthy democratic system, and a healthy democratic system is crucial for achieving efficient public bureaucracy. Some might argue that bureaucratic institutions and democratic institutions are antithetical poles with different objectives (Blau 1972, p. 15), but public bureaucracy has a significant role to play in the administration of government, whether autocratic or democratic, even though the bureaucracy's role may vary significantly under each of the systems. Underscoring the importance of bureaucracy, Downs (1967, pp. 30–45) points out an irony:

It is ironic that bureaucracy is primarily a term of scorn. In reality, bureaus are among the most important institutions in every part of the world. Not only do they provide employment for a very significant fraction of the world's population, but they also make critical decisions that shape the economic, educational, political, social, moral, and even religious lives of nearly everyone on earth.

The government of Bhutan has been the largest sector in society. The private sector is fairly small and civil society is in its infancy. But the

country stands at the threshold of transformation. To strengthen the semi-democratic process and ensure good governance, a major task of the government is to establish sound policies, regulations, and systems so that an efficient bureaucracy can complement the new form of government. The RCSC has a central role to play in this endeavour, as stated in the Constitution of the Kingdom of Bhutan, Article 26, Section 1 (2008, pp. 52–53):

There shall be a Royal Civil Service Commission, which shall promote and ensure an independent and apolitical civil service that will discharge its public duties in an efficient, transparent and accountable manner.’ Furthermore, as Section 4 states: ‘The Commission shall endeavor to ensure that the civil servants render professional service, guided by the highest standards of ethics and integrity to promote good governance and social justice, in implementing the policies and programs of the Government.’

On 20 May 2011, the Parliament enacted the Civil Service Act of Bhutan 2010, thus updating the Royal Charter for Civil Service of 1982, and further clarifying the role of the RCSC and the civil service. The Act (pp. 11–12) also requires that the RCSC and the civil service be independent and apolitical when discharging public duties in an efficient, transparent, and accountable manner. The appointment of five full-time and independent commissioners has enabled the RCSC to focus on its mandate, provide leadership, and dispense fair, unbiased, and faster decisions. In accordance with the Constitution and the Act, Bhutan’s civil service provides equal opportunity for employment and career advancement on the basis of merit, qualification, and fair and open competition without discrimination. It is mandated to apply uniform rules and regulations for recruitment, appointment, staffing, training, and transfers. Collective decision making on human resource matters through the human resource committees instituted in all the civil service agencies has enhanced the merit-based system and eliminated the practice of one man making unilateral decisions based on personal bias, favouritism, nepotism, and patronage.

The RCSC is responsible for adopting measures designed to promote high morale, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service. It is also mandated to strengthen the merit and rewards system, integrate all human resources development programmes for all levels and ranks, and institutionalize a management

climate conducive to public accountability. More specifically, the RCSC is tasked with the following roles and functions:

- To promulgate policies, standards, and guidelines for the civil service, and to adopt plans and programmes to promote efficient and effective personnel administration in the government;
- To formulate policies and regulations for the administration, maintenance, and implementation of position classification and compensation, and to set standards for the establishment, allocation, and reallocation of pay scales, classes, and positions;
- To control, supervise, and coordinate civil service examinations, and to prescribe all forms for civil service examinations, appointments, reports, and such other forms required by law;
- To formulate, administer, and evaluate programmes relative to the development and retention of a qualified and competent workforce in the public services;
- To hear and decide administrative cases instituted or brought before it;
- To take appropriate action on all appointments and other personnel matters; and
- To inspect and audit the actions of personnel, and the programmes of the departments, agencies, bureaus, offices, local government units, and other government instrumentalities.

The RCSC's major functions may be summarized thus: merit protection and promotion, capability-building or human resource development, quasi-judicial and organizational development. The RCSC can be conceived as the brainbox and institutional memory of Bhutan's public sector, also as a bridge spanning administrations, and the guardian of public interest.

Staffing trends in the Bhutanese civil service To give an idea of staffing trends in the civil service, it is pertinent to start with an outline of staffing trends.

Statistical strength In 1981, Bhutan had a bureaucracy of 20,000 Bhutanese officials and around 40,000 Indian personnel. The 74th session of the National Assembly in 1996, meanwhile, stated that the total number of civil servants in Bhutan was 12,132 (*Kuensel Weekly*, August

10, 1966). By 2002, the number had increased to 13,137. Regarding gender distribution, while women comprise 48% of the country's population, their participation in the civil service was only at 5% in 1995 (RCSC, Civil Service Statistics 2015, pp. 1–5).

The strength of the civil service as of 30 June 2015 was 26,699. Of this total, 25,588 were regular civil servants and 1111 worked on contract (*Kuensel*, 16 September 2015). By 31 December 2016, the total came to 27,029, and of this total, 25,161 were regular civil servants and 1868 worked on contract. Most contract workers are teachers. The cumulative growth in civil service strength as of 31 December 2016 when compared to the strength on 31 December 2008 is 36.18%. The number of civil servants has almost doubled since 2002. From 14,265 civil servants in 2002, the number increased to 27,029 in 2016, making civil service the biggest employer in the country. The annual growth for the year 2016 was 1.6% as compared to 1.1% in 2015, 4% in 2014, 4.25% in 2013, 4.86% in 2012, 2.84% in 2011, and 6.63% in 2010. In 2016, civil servants comprised 3.44% of the country's population; it was reckoned that out of every 29 Bhutanese, one was a civil servant (RCSC, Civil Service Statistics 2016, pp. 7–11). This disquieting growth rate of the civil service goes against the RCSC's policy of maintaining a small, compact, and efficient civil service.

Gender of civil servants The gender of civil servants is delineated in Table 2.1.

As of 30 June 2015, there were a total of 17,489 (65.50%) male civil servants, of whom 16,741 were regular civil servants and 748 working on contract. There were 9,210 female civil servants (34.49%), of whom 8847 were regular and 363 were working on contract. In 2016, women

Table 2.1 Composition of civil servants in percentage (2000–2016)

<i>Category</i>	<i>Before 2000</i>	<i>2000</i>	<i>2015</i>	<i>2016</i>
Male	83	81	65.51	64.54
Female	17	19	34.49	35.46
Total	100	100	100	100

Source Author's personal tabulation from various back issues of *Kuensel*. Online at: <http://www.kuenselonline.com> and RCSC, Civil Service Statistics (2014, 2015, 2016). Online at: <http://www.rcsc.gov.bt/wp-content/uploads/2017/06/CSSfinalprint2016.pdf>

Table 2.2 Educational qualifications

<i>Educational qualifications/year</i>	2008	2015	2016
Ph.D.	13	25	33
Master	901	1853	2121
Post graduate diploma/post graduate certificates	867	1810	–
Bachelor	3534	6866	7170
Diploma	2807	3980	3729
Functional qualification	971	890	–
Others (certificate, class XII, class X and below)	9712	10,134	4165
Total	18,805	25,588	25,161 ^a

Sources Author's personal tabulation from various back issues of *Kuensel*. Online at: <http://www.kuenselonline.com/>; and RCSC, Civil Service Statistics. Online at: <http://bcse.rcsc.gov.bt/>

^aThis figure is for regular civil servants

comprised 35.46% of the civil service—an increase of 3.87% from 2015 (RCSC, Civil Service Statistics 2016, pp. 4–7).

The educational qualifications of civil servants In 2015, of the total of 25,588 regular civil servants, 11,035 (43.13%) had qualification of certificate/class XII or less, 3926 (15.34%) had a diploma, and 6882 (26.43%) had a bachelor's degree. As of June 2017, therefore, 78% of civil servants meet the minimum qualification criteria. In June 2017, out of a total of 25,161 regular civil servants, 7170 (28.50%) had a bachelor's degree, 4165 (16.55%) had basic education class X or less, 3729 (14.82%) had a diploma, 3701 (14.71%) had a certificate, 7170 (28.50%) had a bachelor's degree, 2121 (8.43%) had a master's degree, and 33 (0.13%) had a Ph.D.

The percentage of civil servants meeting the qualification criteria has therefore increased today to 94.16% in the executive position category, 92.31% in the specialist position category, 68.16% in the professional position category, 32.41% in the supervisory and support category, and 66.50% in the operational position category. This is outlined in Table 2.2.

Recruitment planning process Riggs (1963, p. 127) presents an axiom in modern public administration:

[...] that bureaucrats ought to be selected on the basis of universalistic, achievement criteria, best expressed in an examination system; and that

employment should be for a career. The demand for technically qualified personnel to staff the program-oriented services of modern government has meant the proliferation in all the developing countries of civil service and personnel systems rooted in the merit and career concepts. Indeed, so deeply engrained are these ideas that even to question their utility is to risk castigation as a heretic and subversive.

The RCSC, in consultation with the human resource department of each ministry, determines the staffing pattern and strength required for each agency for the plan period. The agency formulates an annual human resource recruitment plan and carries out recruitment based on the approved staffing pattern for its area of delegated responsibility. The agency identifies its recruitment needs in relation to vacant positions and in consultation with its divisions or sections. When wanting to hire someone, the agency submits a requisition to the RCSC (as per Section 8.1 of Chapter 7 of Bhutan Civil Service Examination, BCSE). Also for the executive and specialist categories in the civil service, the agency consults with the RCSC to determine its vacant positions and recruitment needs. Most professional, technical, and clerical positions are filled on the basis of prescribed qualifications coupled with interviews conducted at the central or departmental level.

Authority for recruitment, selection, and appointment of new employees The RCSC is the central personnel agency for the recruitment and selection of candidates in consultation with the employing agency, and for approving appointments. The recruitment of university graduates to professional and managerial positions is conducted by the RCSC (through the BCSE as per Chapter 7 of the Rule). The recruitment of university graduates to the supervisory and support-position category (S1) is conducted by the agencies for those with a valid certificate of eligibility issued by the RCSC. Also in these cases, recruitment is governed by the Chapter 7 Rule. Any new recruitment to the civil service is only at the entry-position level. The RCSC monitors all appointments carried out by the agencies, and all agencies are subject to regular human resource audits.

Eligibility To be eligible to take a civil service examination, a candidate should be a Bhutanese citizen; he or she should meet all qualification requirements specified for the particular position as per the position

directory and job description. The candidate must be at least 18 years of age and not more than 40 on the date of employment. If a candidate is already in service, he or she should possess the minimum qualification required and have no service obligation to the agency; the candidate should be a graduate of some discipline and have no police record. Finally, he or she needs a medical certificate from a competent government medical doctor.

Disqualification A candidate is not eligible for employment in the civil service if he or she has been convicted of a criminal offence, is under investigation, or is being prosecuted for a criminal offence. Eligibility is also withheld if the individual has been terminated or compulsorily retired from the civil service, a government corporation, or project, or if he or she voluntarily resigned from the civil service or was previously selected for the civil service but has dishonoured the selection/appointment. Being judged medically unfit for employment by a competent government medical doctor is yet another disqualifier. Other reasons for disqualification include providing false information in an application, cheating on the recruitment exam, furnishing fake or forged testimonials and documents, failing to provide testimonials as required under the Civil Service Rules, and not being issued a Certificate of Eligibility by the RCSC for recruitment to the S1 category (in the case of university graduates). If an applicant has been involved in politics, there is a minimum cooling-off period of three years, otherwise the applicant is disqualified.

Recruitment procedure Each agency, according to its delegation of authority, advertises the approved vacant positions through relevant media and allows at least two weeks for candidates to register. If required, an extra two weeks may be granted. The vacancy announcement clearly defines the eligibility criteria.

Candidates are required to submit the following documents: an RCSC employment application form, a resume (CV), copies of academic transcripts, relevant training transcripts, a copy of the Bhutanese citizenship identity card, a security clearance certificate, a medical fitness certificate issued by a competent government medical doctor, and—if employed—a no objection certificate. The agency concerned shall register the applications, verify all original documents and testimonials of the shortlisted applicants, and notify them on the status of their applications.

Shortlisting of applicants Candidates are shortlisted based on the eligibility criteria for the position. For shortlisting, the ratio of vacancy to candidate is at least 1:3. If the number of applicants is still large, even after the shortlisting, the Human Resource Committee does further shortlisting based on the merit ranking of marks obtained in the academic/relevant training as per the requirement specified in the position directory. Academic marks of grade X and XII shall be computed as follows: Class X: all subjects, and Class XII: English, Dzongkha, and the three best subjects. The agency announces the shortlisted candidates along with the date and venue for interviews and the declaration of results.

Selection procedure Depending on the requirements for a position, the competitive selection process includes the following methods:

- Panel interview, mandatory
- Academic/relevant training, and/or written/practical examination

If the selection process involves only two methods, the interview counts for 50% of possible marks accrued, and the exam assessing the academic/relevant training or written/practical exam counts for 50%. If the selection process involves all three methods, the breakdown is as follows:

- Interview—50%
- Academic/relevant training—25%
- Written/Practical examination—25%

Interviews are conducted in Dzongkha and English by the Human Resources Committee, which consists of five relevant members (Section 2.9, Chapter 2, BCSC Rules).

As the above paragraphs make patently clear, there are robust rules for how civil servants are to be hired. Nevertheless, there are many cases where the rules are broken, and where the examination and selection are not based on merit. Oftentimes potential candidates are screened on the basis of personal loyalties, kinship affiliation, religion, language, or out of political consideration. Anyone who does not meet the *unofficial* criteria is rejected. Sometimes candidates are selected even before the results are declared. Many candidates with top academic credentials have failed to

Table 2.3 Position category and structure

<i>Position levels/position category</i>	<i>Executive position</i>	<i>Specialist position</i>	<i>Professional and management position</i>	<i>Supervisory and support position</i>	<i>Operational position</i>
	EX1	ES1	P1	SS1	O1
	EX2	ES2	P2	SS2	O2
	EX3	ES3	P3	SS3	O3
			P4	SS4	O4
			P5	S1	
				S2	
				S3	
				S4	
				S5	
<i>Minimum qualifications</i>	Master degree	Bachelor degree	Bachelor degree	Class 12/ diploma/ certificate	Class 10

Source Author's personal tabulation from various back issues of *Kuensel*. Online at: <http://www.kuenselonline.com> and The RCSC Guidelines and Handbook. Online at: <http://bcsc.rcsc.gov.bt/>

get through the selection process because the interview, which is worth 50% of the score, is highly discriminatory and subject to the whims of the interviewing committee.

Position category and structure In 2006, Bhutan adopted a position classification system to replace the cadre system. The civil service now has 17 position levels grouped into four position categories: executive and specialist (3 position levels), professional and management (5 position levels), supervisory and support (5 position levels), and operational (4 position levels). The structure and hierarchy of the positions is outlined in Table 2.3.

As of 31 December 2016, there were 13,090 civil servants in the professional and management category as compared to 11,661 in the supervisory and support category, and 2030 in the operational category. There were 141 civil servants in the executive category and 107 in the specialist category. Amongst the 19 major occupational groups, the educational and training services had the highest number of civil servants (9140, constituting 33.82%). In second place were the general administration and support services (4098, constituting 15.16%). The third largest group worked in medical and health services (2993, constituting

11.07%). The arts, culture, and literacy services ranked lowest (69, constituting 0.26% of the total strength).

Position levels All positions in Bhutan's civil service are aligned with one of the position categories and an occupational group or subgroup with outlined responsibilities. There are clearly stated minimum requirements for entering each position category. However, a civil servant with a minimum two-year diploma, entering at S1 and S2, is eligible to progress to the highest position level of P3 in the diploma career track (RCSC, Annual Report 2014–2015, pp. 6–50; Bhutan Civil Service Rules and Regulations 2012, pp. 4–30).

THE CULTURE OF THE BHUTANESE CIVIL SERVICE

A bureaucratic culture consists of a set of values and a mode of understanding that influence the behaviour of members of an organization. It therefore provides a general configuration within which the civil servants define their tasks, form their attitudes, behaviour, manner, and style of work as bureaucratic functionaries. Bureaucratic culture is rooted in the politics, economy, history, and sociocultural traditions of a country (Fajemirokun 1974, pp. 143–145). Henderson defines it as general characteristics of public officials (i.e., their shared values, attitudes, and beliefs), federal, state, and local. He relates it to the broader political culture from which it derives and says it can be broken down into subcultures (Henderson 2004, pp. 238–239).

Despite our usual perception of the civil service as a monolithic structure, its characteristics, texture, operating principles, and procedures can vary significantly from one country to another. The nature of the politician–civil servant relationship changes not only with respect to a particular policy sector, but also over time and on account of changes in the dominant political ideology of the time, or changes in political leadership. The very nature of interaction between the political sector and public administration is therefore influenced by many policy variables, which range from political-administrative culture in a country, to various sector-specific properties. In addition to the internal environment, a country's bureaucratic culture is shaped by the external environment and any number of values, assumption, beliefs, sentiments, and attitudes amongst members of the bureaucracy. This helps account for why administrative culture and the civil service system in a traditional and transitional

country such as Bhutan exists in such a dynamic and divisive politico-socio-economic environment.

When studying the culture of administration in Bhutan, one first realizes that the king is at the apex of power and status. Down through the ranks, there is recognition of rank, power, and status in combination with an atmosphere of favouritism and nepotism, discrepancy between norms and practices, the influence of family relationships, personality, racial, ethnic, and geographical affinities. Such behaviour has changed to a limited extent due to changes in the social, political, and economic environment after promulgation of the Royal Constitution. And this, in turn, has triggered change in the values, norms, beliefs, and perception of bureaucrats. But Bhutanese bureaucratic culture is highly influenced by the country's legacy, its traditional value system, and the political and economic system. This influence is ubiquitous at the political and administrative level, the structural level, and the sociocultural and behavioural level.

Problems abound At the *political and administrative level*, the responsibilities pertaining to each position can be imprecisely defined, there is a lack of transparency, accountability, and responsibility. Formal control mechanisms may exist, but these are hampered by procedural problems, elitism, authoritarian attitudes, and feuds between bureaucratic bodies (feudocracy). *At the structural level*, problems include over-centralization, antiquated feudal systems, administrative expansion, overstaffing, the rigidity and complexity of rules, and a problematic salary structure. *At the sociocultural and behavioural level*, the civil service struggles to overcome certain traditional customs, attitudes, and behaviours that are deeply embedded in the culture, for instance nepotism, favouritism, patron–client relationships, corruption, and a tendency to avoid taking responsibility. Furthermore, many civil servants lack adequate training (Rizal 2002, pp. 260–280; 2015, pp. 16–75).

As stated, the bureaucracy in Bhutan is strongly influenced by policy, but also by the norms and value system in the external society, and by economic conditions. The bureaucratic culture demonstrates both systemic rigidity and the behavioural dysfunction of bureaucrats. The existing culture is anti-people and oppressive in nature. Due to the prevailing culture, public service has become synonymous with inefficiency and non-professionalism.

From the foregoing analysis, it is obvious that the present civil service is insufficient for the tasks at hand—to shape the emerging semi-democratic

political system. It is still authoritarian and feudal in nature, and mostly controlled by a small group of elites. Although the population size is small in comparison to that of the neighbouring countries, civil service personnel have not been deployed in any science-based way reflecting class distribution. What Bhutan needs today is a dynamic civil service, one where, at each level, personnel are recruited on the basis of merit and able to represent all sections of society. In Bhutan, members of the traditional bureaucratic class belong to the political elites. This is why the bureaucracy continues to be an integral part of the governing power structures. Modernization was internally stimulated and led by the ruling elites themselves. A strong authoritarian and hierarchical pattern has been internalized. The RCSC directly reports to the king and the cabinet. But in this contemporary era dominated by the technological revolution and greater access to information, the personnel system should be professionally equipped, sharp-edged, efficient, and responsive to popular aspirations.

Bhutan's current bureaucratic culture imposes a heavy financial burden on the country and hinders its economic, social, and political development. As early as in 1947, Dahl (1947, pp. 1–11) pointed out that 'we cannot afford to ignore the relationship between public administration and its social settings'. Bhutan is no exemption to this axiom. In order to replace the current civil service culture with one that is more positive, the government and its leaders must come to understand that the culture of civil servants is embedded in the socio-economic, political, and behavioural settings of Bhutanese society. In other words, the bureaucracy is part of feudal Bhutanese society. It will be difficult to reform the former without changing the latter.

Therefore, an administrative culture that is truly conducive to efficient, effective, and accountable public service in Bhutan will only be attained when the current administrative culture is modified. Since this culture is rooted in, and nourished by, the general social setting within which the bureaucracy operates, reform measures must focus on the way in which people are socialized, not only within the bureaucracy, but in the culture at large.

CHALLENGES FACED BY THE BHUTANESE CIVIL SERVICE

In many parts of the world, when people think of civil service, they think of something inefficient, rigid, and dysfunctional (Aberbach and Rockman 2006, pp. 977–995).

With the changing political and economic situation in Bhutan, it is reasonable to expect that there are some challenges, for instance, pathological problems or undesirable aspects to overcome. These challenges could be described as general and transitional (Greenberg 1970, pp. 3–8). According to Riggs (1975, pp. 86–88), the transitional nature of a country like Bhutan is characterized by heterogeneity, formalism, and overlapping. Both formal and informal authority structures are operative. Administrative behaviour is often determined by non-administrative criteria, that is, by political, economic, social, religious, or other factors.

Article 26 of the Constitution of Bhutan ordains an independent and apolitical civil service. However, major challenges today are power dynamics and mystification regarding the separation of powers. There have been cases where boundaries are ill-defined between and amongst the various arms of government, particularly between parliament and the executive branch, and between the executive branch and the civil service. It is very difficult, in a transitional society like Bhutan, to determine who is an administrator and who is a politician, since the bureaucrats take part in political activities, and the politicians make administrative decisions. In such a society, the treatment that citizens receive from civil servants is based on class connections, ethnic ties, and friendship. Lhawang Ugyel (2017, pp. 1–5) describes the mystification of power separation thus:

The executive comprises the ministers as policy makers and the civil servants as policy implementers. Although the Constitution and subsequently the Civil Service Act of 2010 stress the importance of the independence of the ministers and the civil servants, it is not easy to separate their roles. Ideally, the ministers set the policy based on a mandate that is provided to them by the public through the electoral process, and the civil servants implement these policies within the confines of the laws of the land. However, in reality what one observes is that policies are often framed by the civil servants, and ministers tend to be more involved in the implementation of these policies.

Bhutanese civil servants are power conscious, and the concept of public service is alien to them. The discrepancy between norms and values is widespread. Relationships between people are intensely personal and mostly governed by status and position rather than by policies. In a collaborative research project conducted by the Anti-Corruption Commission in 2016, it was revealed that patronage is legion. Bribing is standard practice. Who you are rather than what your qualifications

are determines your position and salary in the bureaucracy. Corruption is widespread and institutionalized. There is a tendency to eschew responsibility, to delay, and to practice nepotism and favouritism (Sonam Penjor, 25 May 2016). In actual practice, the recruitment policy caters first to the needs of elite groups, and only later to the needs of society as a whole (Rizal 2002, pp. 150–170).

Bhutan's civil service also faces the challenges of a negative civil service culture: Civil servants do not carry out their responsibilities professionally, impartially, and apolitically; they do not serve the government of the day fearlessly and without prejudice. As I have already explained, this is partly due to the blurred boundary between bureaucrats and politicians, as many politicians are former bureaucrats (Rizal 2015, pp. 149–155). In Bhutan there is still a strong overlapping of traditional social systems with state modernization efforts. Performance-based bureaucratic practices and the appointment of people to the civil service based on merit are constantly undermined by the continuing practices of patronage and kinship-based intercession, to obtain public favours and public positions. The civil services have consequently emerged as consisting of powerful interest groups, typically protected by the royal constitution and by tenure provisions. These groups have tended to protect their privileges and to resist any reforms and change designed to improve their performance. Despite any attempt towards professionalism, political conditions in the country continue to determine the relative demand for patronage-based employment in the civil service. It is of course hoped that an increasing popular demand for honest and effective civil servants will eventually have an impact on the quality of civil service entrants. Having said this, a significant reduction in patronage in Bhutan would require institutional development, not only in the public sector, but also in the private sector and in civil society. The private sector is very small and incapable of offering attractive employment opportunities to the large number of citizens who, for lack of alternative opportunities, currently seek public sector jobs. Civil society is very weak and disorganized and citizens try to obtain goods through strategies such as bribery or by appealing to those who already enjoy privileged access to goods and services. The need to inculcate values such as honesty and civic-mindedness in the private sector and civil society is a general challenge for Bhutan today, and it will take many years of persistent structural reforms to achieve. The challenges I have outlined are only the tip of the iceberg.

CONCLUSION

In this chapter, I have addressed some critical issues concerning the Bhutanese civil service. I have argued that the main reasons for the weakness of the civil service seem not to have been properly articulated and diagnosed. It seems that many policies and programmes have been introduced without reformers first paying due attention to the country's administrative history, existing political reality, administrative capacity, and economic structure. The prescribed reforms have merely been transplantations and impositions made without understanding the context. As Warrington (1997, pp. 3–12) has pointed out, reformers must understand that the habits of thought and the patterns of behaviour are likely to persist as long as the circumstances that give rise to them exist. This principle also applies for Bhutan. The introduction of constitutional monarchy and semi-democracy are insufficient to create an efficient civil service. Without addressing the core political, economic, and social-cultural issues prevailing in the country today, it will be impossible to instigate change. It has been argued that in countries like Bhutan, where a patronizing civil service system is entangled with tribulations as highlighted above, it will be wishful thinking to reform the system in conjunction with a new democratic order. The problems of the civil service in Bhutan require thorough diagnosis and sustained thought about the way to bring about cultural and attitudinal change. It is imperative to develop the system based on merit principles, guaranteed financial probity, respect for political neutrality, impartiality under law, commitment to serve, and accountable to the people. The measures need to be executed incrementally through identifying priority areas in the light of the capacity to implement the measures. I conclude by paraphrasing Winston Churchill (1973, pp. 340–350): civil service is the most efficient system for organizing people known to man—except for all of the other systems. The case of Bhutan is no exception.

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The Civil Service System of Bangladesh

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The heyday and glamour of civil service may have waned or at best seem to be ebbing as a career for aspirants of tenured jobs across the globe. In Bangladesh, two trends can be discerned for such a decline: first, the rise and manifold growth of alternative career opportunities in private, NGO, and other sectors, second, failure to attract the best candidates to the civil service. Despite these trends, the civil service still had many applicants and has allowed such an influx over so many years that it has resulted in a service marred by mediocrity. Though civil service systems across the world are organized in many different ways through recruitment, placement, promotion, and conditions of service, certain features are universal and make a great impact on the quality of service: recruiting and promotion based on merit, efficiency, impartiality, integrity, and public responsiveness.

The intellectual roots of the modern civil service system in Bangladesh can be traced back to the establishment of the Indian Civil Service (ICS) by the East India Company during British rule, and to reforms initiated

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by the Northcote-Traveyan Report in 1854. These early reforms focused mostly on meritocracy, political neutrality, and accountability, and eventually resulted in creating the Indian model (Khan 2015, p. 38) that was brought to bear in independent India, Pakistan, and Bangladesh. The early reforms emphasized a merit-based competitive system for recruiting civil servants; candidates would have a background of liberal education and only those with superior minds were to be employed. A hierarchical structure of classes and grades was also introduced, where promotion by merit replaced the system of patronage, preferment, and purchase. From meritocracy, civil service worldwide has turned towards more result-based administration and management by performance and requirement in order to hold officials accountable. With the international wave of New Public Management (NPM) reforms in the late 1980s and the publication of Osborne and Gaebler's seminal book *Reinventing Government* in 1992, public services worldwide have been modernized and transformed in different ways. The question is: What has happened in Bangladesh?

This chapter gives an account of the Bangladesh Civil Service (BCS) from a historical to a more contemporary perspective, highlighting the service's structure, character, and dysfunctional manifestations. The first part of the chapter deals with the historical development of the civil service starting from the British colonial period to the present. It explores the extent to which the civil service pursues an elitist model. Part two focuses on the composition, recruitment, career development, compensations and retirement benefits, civil service ethics, and the code of conduct. Part three deals with challenges for Bangladesh's civil service, most particularly, the relationships of power and authority, organizational commitment, political and societal responsiveness, neutrality, and the gradual politicization of the civil service with manifestations of some dysfunctional norms and standards.

PART ONE

Civil Service Defined

In modern parlance, 'civil service' denotes the officials appointed for discharging specific functions of a government. The term is therefore construed as the civil bureaucracy running the entire administrative system of the country. It was first coined by the East India Company in British

India, to distinguish company officials from those belonging to the military wing. During the colonial period, civil servants were assigned with trading activities and managing local administration in British acquired territory. Even today, military personnel are not considered part of the civil service. The BCS includes officials serving in the various functional cadres recruited by the Public Service Commission (PSC) through an open competitive examination, and it does not include officials recruited in parastatals, corporations, or autonomous or semi-autonomous bodies. The civil service should ideally be ‘more than a government institution. It stands for a spirit essential of modern democracy and it is an ideal of a vocation in public officials who devote their lives to the service of community’ (Rashid 2008, p. 12). Morgan and Perry define civil service as mediating institutions that mobilize human resources in the service of the affairs of state in a given territory (cited in Rashid 2008, p. 13). It focuses on the coordinating and synthesizing role of a civil servant in the discharge of duties.

The United National General Assembly, in its resolution 50/225, recognizes that the key features of an effective civil service are that it must be ‘merit based, neutral, well-structured, right-sized and well paid, accountable, professional and relatively corruption free, relatively autonomous, responsive and representative, well trained, performance oriented and relatively open’ (cited in Rahman 2001, p. 138).

While the above tenets for civil service are usually thought to be universally true, there are in actual practice deviations. Some governments find it expedient to question whether civil service should remain apolitical, or they maintain a combination of both merit and a quota principle for selection, and sometimes they do not care to guarantee impartiality in the conduct of civil servants and their dispensing of public services. Nevertheless, some common features of civil service are that it is a career system offering tenured jobs, that selection is based on competition and merit, that civil servants are subordinate to political actors, and that its permanency is not affected by changes in the regime.

Normative Roots of the BCS

The BCS shares in the history of the formation, structure, and development of the civil service from the time of British colonial rule. Its structure remains largely similar to what was the case at the time of the partition in 1947 with India, and independence from Pakistan in 1971.

The BCS has thus also been shaped by, on one hand, the bureaucratic culture and practices inherited from the civil service of Pakistan (CSP), and on the other, the ideals of the war of liberation, a pro-people orientation, and a will towards public responsiveness.

With its legacy from the ICS (until 1947) and the CSP (1947–1971), the normative roots of impartiality, integrity, and selflessness in public service were deeply ingrained and helped shape the character and profile of the BCS. There is also a legacy of an elitist orientation, and sometimes civil servants have been blamed for having ‘colonial mindsets’, unable to cope and act according to the country’s agenda for development. The elitist orientation has been seen as anti-people and anti-development. This is why, after independence, the BCS evolved along more liberal lines. The government sought to curb the BCS’s elitism, bureaucratic power, and its authority, thus to make it more subject to political control.

British era The British era of civil service was marked by the beginning of an administrative system and a system of government (Misra 1977, p. 33). At the time of its establishment, the civil service had some element of patronage, but in 1853 it started practicing merit-based recruitment. Khan (2015) observes that the ICS was largely shaped by the administrative traditions of ancient and medieval India, for example, the use of intermediaries in revenue collection. The *Zamindars*¹ were given the task of revenue collection for the East India Company as quid pro quo to their *Zamindari*.² The East India Company recruited various categories of employees, for instance, apprentices, writers and merchants, and rather than giving them a fixed salary, paid them according to their merit.

The company introduced a regular service provision in 1674 (Misra 1977, p. 42), specifying a compensation package and conditions of service. The company became more involved with civil administration with the grant of the *Mughal diwani*. When the Regulating Act of 1773 was passed, the civil and commercial functions of the company were

¹A *zamindar* in the Indian subcontinent was an aristocrat. The term means ‘land owner’ in Persian. Typically hereditary, zamindarsheld enormous tracts of land and controlled the peasants who lived there, from whom they reserved the right to collect tax.

²The system under which zamindars held land.

bifurcated and it became necessary to separate personnel classifications. The India Act of 1784 introduced rules of conduct, thus prohibiting civil servants from accepting gifts or indulging in corrupt practices on pain of punishment by law. The Charter Act of 1793 contributed to the development of an esprit de corps within the ‘covenanted’ cadre of the civil service. The ICS became the epitome of British imperialism, functioning as a corps d’elite. Khan (2015, p. 53) notes that the ICS’s three tiers—top, provincial, and middle or subordinate provincial service—preserved the elitist concept.

From the above discussion, it is possible to discern the evolutionary process that led to the creation of a merit-based civil service during the period of British rule. As Vaishnav and Khosla (2016, p. 7) have observed, the ICS imitated the design and spirit of the Whitehall or Westminster model and did very little to alter it after India’s independence in 1947. Lloyd George’s speech of 1922 in the British Parliament provides further evidence of ownership and political support for the ICS:

If you take that steel frame out of the fabric, it would collapse. There is one institution we will not cripple, there is one institution we will not deprive of its functions or of its privileges; and that is the institution which built up the British Raj – the British Civil Service of India.

The meritocracy and patronage of the ICS made it a unique civil service that became the epitome of the highest standard of integrity, impartiality, and professionalism.

Moorhouse praises the superior quality of the ICS when he writes that ‘for efficiency and integrity, the ICS was considered as almost certainly the finest civil service that man has yet devised. It bred honourable men, even when it had not acquired them in the first place’ (cited in Rashid 2008, p. 45). Regarding the bureaucracy of India, Richard P. Taub observes that the British maintained control by establishing various levels of administration within the ICS, second, that rules were written to create uniformity, predictability, and control over the decision-making power of the subordinate Indian officers, and lastly, that with the centralization of decision-making, it became necessary to gain approval from superior officials (cited in Quah 2011, p. 78). Through the established system of rules and norms, the ICS retained its character and nature of service even after the British departed in 1947. As Khan (2015, p. 57) observes, the image of the ICS was not tarnished with India’s independence; rather,

the opponents of British rule sought to ‘Indianize’ the ICS. What Indianization meant was perhaps to change the mindset of the civil servants groomed in the British tradition, thus to promote a people-centric administration. However, after the partition of India and 57 years of independence, the laudatory image of the ICS had greatly eroded. As the former senior civil servant Satya Prakash Garg has remarked, the negative perception is largely due to the civil services being non-accountable, unapproachable, backward-looking, and obstructing development (Quah 2011, p. 76). In sum, even though the ICS, after the partition of India, had a ‘steel frame’ reputation founded on integrity, ethical and moral standards, and a sense of responsiveness, the dysfunctional elements as stated above came to overshadow its glorious past.

Pakistan period (1947–1971) After 1947, British India was divided into two independent dominions—India and Pakistan, with complete transfer of political power. Pakistan constituted East Pakistan and West Pakistan, and the two were separated by Indian territories. As noted by Rashid (2008, p. 45), ‘the Civil Service of Pakistan (CSP) became the direct descendant of the ICS-dominated steel frame’. He also states that only 82 members of the former ICS and police service came to Pakistan in 1947 (p. 43). The CSP took an elitist path and undermined the role of politicians with a negative outlook (Kennedy, cited in Rashid, p. 47). The Constitution of Pakistan gave ample power and protection to the all-Pakistan civil service, and the conditions of the services were protected from arbitrary decisions in case of dismissal or removal from service without being heard. Civil servants therefore enjoyed autonomy in discharging their duties on professional and moral grounds. The Constitution also protected them from victimization through displacement and promotion. The CSP attracted candidates from the landowning class, the urban rich, and the Western-educated privileged sections of society. It also attracted bright candidates who were young faculty members at public universities. In conformity with the ICS tradition, the all-Pakistan services attracted the best talents in the country. There are several key features of the civil service during the Pakistani period:

- The all-Pakistan services and the Provincial Services were established.
- The tenure and conditions of service were protected by the Constitution.

- The Independent Public Service Commission was established to carry out recruitment through competitive examinations for the various services.
- The CSP was organized on a ‘tenure system’, which meant wide job rotation both at the field level of administration (as young officers) and in the central ministries, such that civil servants could gain experience of carrying out various responsibilities.
- Promotion was based on seniority and merit. The recruitment system was based on a stringent procedure that could attract the best talents from the universities and ensure equal standards amongst the cohort recruits.

The wide mobility, reservation of key positions both at the centre and in the provinces, made the civil service attractive. The reservation of posts for CSP officers elevated them to a privileged class within the administrative hierarchy.

Bangladesh period (since 1971) After independence, the dominant position of the bureaucratic elite was shaken. The Constitution of Bangladesh denied the protection that civil servants had enjoyed during the Pakistani period. Rashid (p. 49) notes that ‘the antipathy to an elite civil service structure led the new state to make a significant legal departure for bureaucracy’. Ahmed (cited in Rashid, p. 49) elucidates:

...the constitution of Bangladesh adopted and enforced within a year of liberation, denied the sort of protection civil servants used to enjoy and it empowered government to enact laws for the reorganization, amalgamation or unification of different cadres. (both specialists and generalists)

The Administrative and Services Reorganization Committee (ASRC) was set up in March 1972 to recommend a civil service that would provide a single classless grading structure and to abolish the elite cadre. It was meant to do away with the distinctions between the all-Pakistan Services and the Provincial Services, also to do away with the reservation of posts for the Central Service of Pakistan, and to provide a classless grading structure for the civil service. With the abolition of the elite cadre in 1972 and proclamation of the Presidential Order 9 of 1972, the BCS was brought under political control. The political authorities now

had ample authority to dismiss any officer from service without any right of appeal. Rashid (2008, p. 50) notes that such arbitrary measures seriously undermined the ethos and confidence in the BCS. Patronage and subjective criteria for distributing positions compounded the problems (Jahan, cited in Rashid, p. 50). This period was followed by a gradual rehabilitation of the erstwhile CSP members, and after the bloody coup in 1975, the BCS started to consolidate power. The recommendations of the ASRC were not implemented. Instead, the Pay and Services Commission was established in 1977. It recommended an administrative top management and specialist group drawn from various service cadres and the formation of 28 cadres consisting of posts which would require appropriate leadership, wide experience, and the capability to lead high-level coordination (Ali, cited in Rashid, p. 51). Later, the Bangladesh Civil Services (BCSs)(Reorganization) Order of 1980 was promulgated to constitute 14 cadres and 28 sub-cadres under a unified civil service. Consequently, 27 cadres were created in the BCS as per the Direct Recruitment Rule of 2014 of Ministry of Public Administration, Government of Bangladesh.

Departure from an Elitist Model to a Classless Civil Service

Given the history of the BCS as outlined here, it is no wonder that the elitist concept of civil service was tarnished during the post-independence period. As Khan (2015, p. 73) notes, the birth of Bangladesh as a nation was the product of a long struggle and revolution, therefore, rather than being obliged to preserve the old bureaucratic regime, the civil service was expected to meet the ideals put forth during the war of liberation. The initial post-independence years focused primarily on reorganizing the civil service: merging services, rationalizing pay, abolishing the elite cadre, and establishing a unified civil service organization. According to Khan (p. 79), the efforts to unify the services helped to eliminate the elitist nature and disparities between various classes of civil servants, not least to mitigate the gaps between generalist and specialist services. It also led to the creation of a uniform recruitment system for all cadres, equal opportunity for promotion, and prospects for career advancement in all cadres. Another result was that it officially weakened the usual dominance of the administrative cadre over the other cadres as regards promotion and placement. In practice, however, the dominance of the administration cadre was not curtailed, as may be evidenced from the data that shows 82% of the positions from

deputy secretary to secretary were occupied by the BCS administration cadre in the year 2013 (Khan, p. 102). As of 17 May 2017, out of 84 positions—these include the positions of cabinet secretary, principal secretary, and other senior secretaries, secretaries of ministries and divisions—74 secretaries were from administrative cadre (<http://www.cabinet.gov.bd>).

In line with the placement of administrative cadre officials in various key positions, opportunities for capacity building through studying at reputed universities in North America, the United Kingdom, and Australia have made the BCS more attractive to many young and mid-level administration cadre officials in the last two decades. Investment in people was therefore seen as a tool for building a modern and effective civil service. But administrative cadre officials were seen to be given more prominence in terms of training and opportunities for higher education as compared to other cadres that helped the administrators speed the advance of their careers and to secure top positions. Therefore, the dominance of administrative cadre officials in key positions such as cabinet secretary, principal secretary, secretary to the prime minister, and secretaries to the ministries and divisions might be seen as a perpetuation of an entrenched system of domination by one particular cadre, rather than a return of elitism in the bureaucracy of Bangladesh.

PART TWO

Recruitment and Selection of Civil Servants

Public Service Commission The PSC is a constitutional body mandated to recruit and select candidates for public service and to recommend candidates for promotion. It is also tasked to regularize the civil service, formulate recruitment rules, and make pronouncements on disciplinary cases. The PSC has a chairman and 15 members, of whom at least half must have been in public service for at least 20 years within the territory of Bangladesh. The maximum term is five years or until the member reaches 65 years of age, whichever comes first. The chairman and members enjoy independence and can only be removed from service through a judgment from the Supreme Court. When the PSC receives a requisition for recruitment from a ministry, it starts the recruiting process, which is sometimes quite lengthy.

The BCS is organized into three broad categories: general cadre, technical and professional cadre, and general education cadre. The PSC conducts recruitment at the entry level through an open competitive system. Recruitment is a gigantic task, given the large number of candidates and the amount of time required to conduct the tests, and it has been aggravated due to irregularities in holding tests. After completion of the tests, it may take up to one year before the successful candidate actually joins the civil service. Given the upper age limit of 30 years for entry, and in light of the time the recruitment process actually takes, a new recruit who is 30 years old will probably enter the civil service at the age of 32 or more. As observed by the PSC, in 2015, it was reckoned that 69.84% of the BCS recruits were 25–29 years old, and only 39.15% were 21–25 years old. Only 4.94% of the new recruits were in the 21–23 years age group (PSC Annual Report 2015, p. 71). The extension of the age limit to 30 helps university graduates overcome problems such as session jams and frequent closures of higher educational institutions and to enter the job market. It may therefore be argued that new BCS recruits are relatively older than in the past. As Khan (p. 43) notes, the ICS officers in British India were recruited at no less than 17 and no more than 21 years of age. Consequently, most of them spent most of their career in mid-level positions in a pyramidal administrative structure.

The allocation of total marks for the tests has been modified over the years. The selection process now includes a pretest (200 marks), followed by a written test (1100 marks), and a psychological and oral test. Although recruitment is highly competitive, the various quota system practices defeat the principle of merit. The basis for the quota principle is stated in the Constitution—that there shall be equal opportunity for all citizens with respect to employment in the service of the republic, and that no citizen who seeks employment shall be discriminated against on grounds of religion, race, caste, sex, or place of birth.

The quota system was introduced in 1972 after independence. Until 1976, only 20% were employed based on the merit quota. That year the merit quota was raised to 40%, and in 1985 it increased to 45%. Out of the remaining 55%, 30% of posts are earmarked for the children of freedom fighters and martyrs, 10% for women, 10% for people from districts, and 5% for minority groups. The treatment of quotas in the recruitment process has become very complex in its micro-level management and implementation. To ease the process of quota implementation, the PSC recommended to the government that the quotas could be divided not on the basis of the population of the districts, but rather on the basis of

the total number of vacant positions at the national level, and that the candidates be given due treatment on the basis of a merit list in each of the categories (PSC, Annual Report 2015, p. 45). To what extent the different quotas have served the desired social goals demands review and careful scrutiny. Khan (p. 125) argues that the quota for the representation of people from underdeveloped regions is liable to be contested, and so also the 30% quota for children of freedom fighters, since they amount to less than one percent of the population (keeping an estimated total number of freedom fighters to 186, 790). Therefore, says Khan (p. 160), the application of these quotas should be reviewed every three years and gradually reduced to a reasonable level.

Though the need for rationalizing quota for recruitment in the public service was felt long before, but removing the quota privilege became a very delicate issue for the policy makers which needed a political solution. In the first quarter of 2018, debates on rationalizing the existing quota system gained momentum in the country at the demand and protests by the university students who are seen as potential candidates for entering the civil service. They demanded increase of the merit quota and called for a complete revisit of the existing quota privilege. The demonstrations by the youth were spreading in all the tertiary educational institutes of the country which drew immediate attention of the top policy makers. However, the movement was dissipated at the declaration by the Prime Minister that all quotas will be abolished and separate provisions for minorities and specially challenged population will be made. It is now yet to be seen how this declaration by the Prime Minister is followed up officially to reform the quota system.

Khan (p. 176) notes that ‘despite all the trappings of an independent body, the PSC in Bangladesh has gradually lost its credibility’. The provision of giving up to 50% of PSC jobs to persons without any experience in public service has resulted in the induction of public university teachers. Khan observes that many of these people are deeply involved in politics and often act as the main conduit for politicization (p. 180).

Since independence, different batches of BCS applicants have experienced variation in the total marks possible for the competitive examinations, differences in intake procedures, and the length of time allowed for completing the recruitment process. The competitive examinations conducted by the PSC have therefore been criticized based on a perceived notion of compromise in the quality of those selected. Quality amongst the batches varies due to the relaxation of the age requirement, the total marks available on tests, large intakes, and skill mismatch. Skill mismatch

stems from the increasing trend of candidates with an applied science background joining generalized cadres. Under the existing recruiting system, there is nothing to stop candidates from opting for generalized cadres. This has resulted in a continuous state of skill mismatch. An applicant with medical training can become a diplomat or policeman, and an engineer can become an assistant commissioner—a generalist position which hardly matches with the person's skills or academic background. The cost of skill mismatch in the civil service is rather a recent phenomenon, and the economic and social costs need to be assessed and addressed.

Placement and transfer Two features of the BCS are job rotation and transferability. This means civil servants regularly experience horizontal and vertical mobility through being transferred and promoted from one position to another. But placement and transfer have always been shrouded with uncertainty and unpredictability in the absence of, on one hand, an established functional career plan and administrative priority, and on the other, the challenges incumbents face with regard to their personal ambitions and preferences. A mismatch between a person's preferred place of posting and his or her actual placement by the government often creates apathy and demotivation on the part of the incumbent. As a general guideline, an incumbent serves a particular workstation for three years. However, the government may withdraw or transfer the person to another station or post him or her as an Officer on Special Duty³ (OSD) in certain cases. The Ministry of Public Administration deals with personnel matters for all government employees. The officers of the BCS Administrative Service are controlled by the ministry, while officials of other cadres are controlled by their respective ministries. Divisional commissioners have the power to transfer officers of certain grades within their jurisdiction. For other cadres, the respective ministries and directorates carry out their own personnel functions.

Secretaries to the government are responsible for making policies and implementing government programmes in a ministry or division and

³Being an Officer on Special Duty (OSD) means an officer may be removed from a posting and kept on hold without any assignment. The OSD period may be as long as five to eight years maximum for some officers. Breaking the status of OSD could be hard, as it may be seen mostly as a punishment, while short-term OSD may be meant for higher education abroad, which may require being absent from work for more than three months. However, an OSD officer may enjoy all facilities as per entitlement.

for providing strategic leadership. In reality, much of their productive time is spent on meetings, telephone calls, dealing with routines, and in attending visitors. Every file goes through at least four layers in the hierarchy. Virtually very little delegation takes place. There is also a tendency to bulk-pass to the top level, which signifies a risk-averse culture in the administrative system. Top bureaucrats, who are trusted by and enjoy close proximity the political power, are rewarded with prized postings and extensions of service, even after their retirement. Trust might supersede professionalism when putting top civil servants in strategic and sensitive postings or to act as ‘crisis managers’. At the junior level or at mid-level, transfers are often done either automatically (often arbitrarily) or at the request of the transferee. Ambitious officers go ‘on lien’⁴ to serve outside the government, with the hope of a better dividend. However, it is given for a fixed maximum term of five years.

Decisions for postings go through at least four levels of government. For senior positions (for promotion s from grade five and above), files go to the prime minister for approval. For contractual appointments, files are processed only when the relevant ministry is asked to process a proposal as directed from the top. Even though all the cadres are recruited at the same level, they do not have the same chances for career mobility and job enrichment (World Bank 1996, p. 124). Appointments of civil servants in the field administration, for instance, commissioners and deputy commissioners, are made with the approval of the prime minister.

Career development for officials in administrative service After being selected and recommended for appointment, a candidate is offered a job and conditions of service. On acceptance, the new officer is appointed as a probationer for a term of two years. Within the probationary period, the officer undergoes foundational and departmental training and is required to pass departmental examinations. After successfully completing the probation period, he or she is confirmed to the service. Placement and transfers of newly recruited officers are governed by the respective ministries and line departments. For the police force, the entry position is assistant superintendent of police; for the Ministry of Foreign

⁴Lien is the provision that gives job security in a cadre when an official works elsewhere in enterprises or agencies. A certain percentage of lien is permissible by the government. The length of period the person is absent from his or her post is usually two to three years. A lien is provided subject to the fulfilment of certain conditions.

Affairs, it is assistant secretary; for customs, the entry position is assistant collector. For administration, it is assistant commissioner, and when posted 'in ministry', it is assistant secretary. During the probation period and also in mid-career, a civil servant participates in various on-the-job training programmes, is required to pass departmental examinations, and to fulfil other conditions necessary for confirmation of his or her job.

The administration cadre, as stated, is the most dominant cadre by tradition, but also because of its size and central role in the government as well as field administration. It is therefore pertinent to discuss the tenure and career development plan of the administrative service in order to give a view of the generalist services in Bangladesh. It may be said that in the past, there was no systematic approach to the placement and duration of tenure in any particular place. According to the 2015 placement policy, a civil servant is required to fulfil certain criteria such as tenure in a particular position in order to become eligible for placement in other positions. Under this arrangement, a probationer will be placed in another division and be excluded from his own division and permanent home. In principle, during the probation period, an officer will not be transferred. As an exception, he or she may be transferred to another district but within the same division.

Civil service ethics and code of conduct Ethics and morality in the BCS—namely, that civil servants demonstrate a high standard of integrity, honesty, and impartiality in their professional lives—have largely eroded. Due to weak and ineffective measures to curb corruption, deeply rooted vices in the society have flourished. To control deviant behaviour, the civil servants are required to observe service norms and discipline and to demonstrate appropriate behaviour. The Government Servants (Conduct) Rule of 1979 and the Government Servants (Discipline and Appeal) Rule of 1985 provide the regulatory framework for personnel to conform to proper standards in the discharge of official duties. However, these rules have proved to be ineffective for deterring and curbing inappropriate behaviour. The Government Servants (Conduct) Rule of 1979 specifically forbids accepting gifts and foreign awards, lending and borrowing, engaging in private trade and employment, criticizing the government, and participating in politics and elections. The civil servants are told to refrain from activities that may lead to conflicts of interest. The rule from 1979, however, does not extend to those who work for the railway and metropolitan police force, as these groups have separate provisions.

Discipline in the BCS is ensured with the enforcement of Civil Servants (Discipline and Appeal) Rule of 1985. For deviant behaviour or misconduct, provisions are laid out as to how to proceed against a civil servant. The rules specifically indicate the procedures to be followed and notices to be served for hearings and for defending the accused. Barring this, no punishment will be justified.

Training The training of civil servants has always been prioritized by successive governments, however, the quality of training and training performance have been treated as less important in the career advancement and placement of officials. The national training policy of Bangladesh recognizes training as a continuous process augmenting human capital. There is currently an apex training academy—the Bangladesh Public Administration Training Centre (BPATC)—which serves all cadres, and nineteen training centres for seventeen specific cadres. Two main types of training are offered: post-entry training and in-service training. Post-entry training includes general training for all the cadre officials, training in specialized institutes for the given cadre, and on-the-job training. Foundational training is mandatory and given to fresh recruits. Without this, they cannot do their job.

Post-entry training is given by specialized training institutes to meet the specific professional needs of civil servants. On-the-job training is systematically given to probationers in their respective sections and departments. Junior and mid-level officers are also given on-the-job training at BPATC and other institutes as may be required from time to time. Officials working in the ministries also receive training, exposure visits, or the opportunity to participate in seminars in foreign countries. In each ministry, there is a committee which allocates scholarships for overseas training and visits. While the impact of these foreign visits and foreign training is hardly assessed in actual terms, foreign visits seem to help officials gain insight, learn lessons, network, and formulate particular policies.

Compensation and retirement benefits Historically, the compensation system for civil servants had been very low when compared with the pay and remuneration of those who work for multinational or private companies. Pay and allowances have been modestly raised in accordance with the cost of living, and they have been implemented on the basis of the recommendations of National Pay Commissions. The pay raises often

come with political manifestos and more in a populist manner rather than as routine features to adjust for the cost of living. Bangladesh does not have a performance-based pay system; pay is instead governed by a 20-grade pay scale for public services.

According to the Public Servant (Retirement) Act of 1974, a civil servant may be forcibly retired after 25 years of service, provided the government thinks it is in the public interest—no explanation need be given. Retirement benefits are dependent on the individual's length of qualifying service and are calculated on the basis of the last expected pay. In general, however, a civil servant enters retirement at 59 years of age, under section 4 of the Public Servants (Retirement) Act, 1974 (Amendment 2011). Upon retirement, a lump sum equivalent to 18 months basic pay along with one-year post-retirement leave is granted. After one year on post-retirement leave, a retired civil servant is entitled to full retirement benefits.

Pensions are classified thus: invalid pension, superannuation pension, retiring pension, optional pension, and family pension. The superannuation pension is given when a civil servant retires at the age of 59. The retiring pension is given to those who are retiring after 25 years of service and when the government retires the individual out of public interest. The optional pension is also sometimes given when a civil servant retires after 25 years of service, and the family pension is given to the family of a pensioner on his or her death. For those who retire at 65, the lifelong pension has been raised to 50% of their former pay, while for others it is at 40%. The minimum monthly pension for a pensioner and for the lifelong family pension has been fixed at Tk 3000. This provision has guaranteed a minimum payment of pensions. It has also reformed the pension processing time to a satisfactory level.

PART THREE

Challenges for the Bangladesh Civil Service

Professional neutrality and politicization of the BCS The professional neutrality of civil servants is a contested area in Bangladesh because pro-active action may be assumed to be pro-government, while non-action or apathy leads to inefficiency. It also happens that the placement in ministries at senior levels takes place on the basis of perceptions that conform to a pro-government orientation of the officers, rather than on the basis

of their neutral footing or efficiency. This trend is relatively recent, having emerged as a derivative of the country's two feuding major political parties. The civil service has been increasingly politicized and the symptoms are easy to see. It results in rifts between civil servants who are critical towards the given political regime and those who support or gain benefit from it. Manifestations of such cleavage are also seen in other professions, for instance, amongst doctors, engineers, and lawyers. There is strong party loyalty and the practice of the *amaderlok* (our maen) principle. Due to the political divide, professionalism, efficiency, and merit-based criteria are overshadowed by perceived loyalty and unquestionable compliance. The outcome of this could be far-reaching in efforts to restore the bureaucratic rationality of professionalism, impersonality, and integrity, and to promote esprit de corps, solidarity, and harmony.

The degree of politicization in the civil service varies from one regime to another. In the worst cases, it comes to expression through personnel withdrawing from their positions, side-lining, and removing officers from service through forced retirement after 25 years of service. Even since this provision of forced retirement has been in practice, it has been frequently used by governments to tame civil servants and bring them under control. The nature and character of a political civil service have been further tarnished by the degree of political control, and this has happened more under democratic rule than under authoritarian regimes. In such a situation, civil servants are often harassed when they fail to abide by the wishes of the political actors. Non-compliance or refusal may result in transfer, becoming OSD, or early retirement.

When people have been involved in politics prior to entering the civil service, chances are they are partisan in their attitudes. They also share the consequences of being political and risk becoming either victims or survivors under one term of government and being rewarded or punished in the next. Demonstrated loyalty becomes the criteria for promotion and placement in important positions. This can also result in fast-track promotion, an extension of service, or secondment to another posting as a reward for rendering loyal service. The neutrality of civil servants is further challenged in the absence of a legal framework for political insulation as expressed through an act of Parliament. On the question of civil servants' political neutrality, Khan (p. 267) notes that there is no provision in the Constitution of Bangladesh to uphold the apolitical nature of the civil service.

Conflicting institutional and cultural norms Askvik (2011, p. 96) notes that citizens are inclined to trust public institutions when they believe

that the institutional representatives want to do good and promote their wellbeing. In the case of civil service, trustworthiness is dependent on the integrity and benevolence of the personnel. Throughout all levels of society in Bangladesh, kinship, *bangsho* (lineage) has fostered strong reliance on networks, linkages, and interlocked transactions (Bertocci 1972, cited in Wood 2000, p. 227). Such networks also influence professional norms: meritocracy, neutrality, objectivity, and accountability are often defeated by political preferences, spoils, nepotism, and regionalism. Instances of the large-scale promotion of civil servants beyond the vacant posts have taken place in recent times led to administrative imbalance. They resulted in the officials continuing in their positions as before the officials. The supersession by junior officials and the breaking of seniority criteria in promotion by arbitrary decisions have led to dysfunctional consequences. These have also contributed to the fading of the so-called glamour of the civil service. While promotion should require a combination of seniority and merit, in practice it is mostly due to seniority and subjective assessment done by the superiors. ‘Merit is judged on the basis of inflated and bogus ACRs [Annual Confidential Reports]’ (Siddiqui 1996, p. 93). Holding written examinations to assess merit for promotion has been stiffly resisted, while promotion on the basis of seniority has become the norm. Siddiqui (1996, p. 93) puts it thus:

We have not only preferred to stick to the 19th Century colonial tradition in theory, but in practice we have chosen to vulgarize even these [*sic*] through numerous omissions and commissions, under pressure from different groups within and outside the government. As a consequence, increasingly the wrong kind of people is manning the higher positions in the bureaucracy.

Cultural norms such as *tadbir*,⁵ (deference to superiors, sympathy and the protection of subordinates) are counterproductive from an institutional perspective (Haque 2003, p. 73). A culture based on a system of *tadbir*—with reciprocal gains and benefits, as demonstrated by forms of allegiance and loyalty with reciprocal favour, sympathy, and protection—dominates the BCS administrative culture.

⁵*Tadbir* has acquired a negative connotation in the administrative parlance in Bangladesh. *Tadbir* is often viewed as a particularistic kind of lobbying made between individuals to influence decisions. It is informal and persists in a hierarchic unequal social structure. It manifests symptoms of neo-patrimonialism.

Factionalism within the Civil Service With the abolition of elitism, generalist–specialist conflicts have emerged and led to deep-seated factionalism (Siddiqui 1996, p. 18). This has arisen due to disagreements between interest groups, for instance, generalists versus specialists, freedom fighters versus non-freedom fighters, civil servants with military background versus ‘civilian’ civil servants, the so-called Awami League-oriented civil servants versus the so-called Bangladesh Nationalist Party-oriented civil servants.⁶ ‘Regionalism’ also plays a silent discriminatory role in resource allocation and placement and may have effects that are similar to those of factionalism. Both this and other types of factionalism sometimes break the norms of the formal bureaucratic organization. But on a more positive note, while the induction of military officers to the civil service increased during the time of military rule, it has now become rare and is limited to some specific positions.

The generalist–specialist conflict has been a serious concern. The specialists are represented by 26 cadres while the generalists are represented by only one administrative cadre. Both groups have viciously utilized trade union tactics such as strikes, wearing black badges, distributing leaflets, holding press conferences, making public statements and ultimatums in the press, holding public meetings and processions, initiating pen-down protests, and so forth, to the extent that such tactics utterly disgust sane and rational civil servants. Siddiqui (1996, p. 18) identifies several reasons for the proliferation of factionalism within the civil service:

- Non-adherence to the system of merit-based recruitment and promotion
- The introduction of various quota systems
- Giving anti-dated seniority to freedom fighters
- The induction of many outsiders into the civil bureaucracy
- The reduction of career advancement prospects.

Uncertain career path The large-scale promotion to senior positions in the BCS—positions that have nothing to do with vacancy—has been rather a new trend in BCS and resulted from a lack of systematic career planning. In the absence of a well-defined and transparent promotion

⁶The Awami League is the present ruling party, the Bangladesh Nationalist Party is the main opposition political party.

system, irregular promotions take place and often violate the merit principle. Strict application of the merit principle has often resulted in suppressing a proposed promotion, but in the end, when people are promoted regardless of their merit, the move becomes counterproductive. Intense competition and rivalry amongst batches within the civil service have also broken the esprit de corps of the BCS. This has led to intra-cadre jealousy and competing interests manifested in side-tracking promotions, particularly for positions in the higher echelons of the civil service. As a result, a sense of ownership, loyalty, and solidarity within the BCS has been seen to rest with respective cohorts rather than with the civil service as a whole. This is often manifested through the strategies of lobbying and mounting pressure to promote and place individuals in key positions, thereby impeding the building of the esprit de corps within the bureaucracy.

Erosion of social prestige The political elites in the post-independence years wanted to instil in the civil service values that would change the attitudes of the civil servants to become people-centric. But the large number of recruits, the relaxation of the age requirement, the examination system, and the irregular holding of exams have resulted in a long recruitment process that causes considerable delays in selecting new recruits. Politicization and political abuse often leave the civil servants vulnerable. Interface with political elites creates tension and becomes counterproductive. Given the political landscape of Bangladesh and the abuse of civil servants, many fresh graduates take a very pessimistic view of civil service as a career, especially as regards pay, compensation, and declining social prestige. The BCS has thus in many ways been failing to attract bright candidates.

The categories of quota-based recruits have blocked the merit-based principle when recruiting to the civil service. This has led many observers to comment on the deteriorating standards of the BCS and the consequent decay and poor function of the educational systems. BCS recruits in the post-independence years have shown greater interest in joining the customs and excise service and the tax office and in becoming auditors, accountants, and policemen than in joining the traditionally prestigious administrative service.

The World Bank report *Government That Works, Reforming the Public Sector* (1996, p. 68) notes the decline in reputation:

The decline in the reputation of the Civil Service along with the growth in the ease and acceptance of graft, have created conditions of 'adverse selection'- it is generally believed that many who have been applying for public services jobs in recent years seem to be motivated less by considerations of public service, professional pride, or prestige and more by calculations of the possibilities for rent-earning.

This observation is particularly true for candidates with backgrounds in applied science who join the generalist services of the BCS.

Informal aspects in governance and departure from rationality and rule of law One of the major dysfunctional features of the bureaucracy that obscures rationality and rule of law is the dominance of informal aspects in the administrative system, examples being *tadbir* or the presence of 'inner circles', which tend to exert power and to influencing decision-making. *Tadbir* is often resorted to for fast-track formal processes in official transactions, in order to yield decisions in favour of the lobbyist or influence peddler. The inner circles consist of a small group of junior, median, and senior officials within the hierarchical system who retain and exert power in decisions regarding policy as well as personnel. Their source of power lies in their access and close proximity to the political power centres, and it enables them to influence decisions because they demonstrate loyalty and trust to the reigning government. Inner circles also play an important role in the bridging and bonding roles of networking, both amongst the politically powerful and amongst the bureaucracy. One dysfunctional aspect of the inner circle practice is that it influences decisions regarding the placement and promotion of senior officials. The culture of *tadbir* and the dominance of inner circles for perpetuating informal norms in administrative decisions therefore lie deeply rooted in the bureaucratic structure. Such informal norms serve as reciprocal and interlocked relationships and often play dominant roles in making decisions about securing a prized posting, in sharing exclusive benefits, or in being reinstalled in the system even after retirement.

CONCLUSION

The BCS had undergone an evolutionary process which has resulted in its current state. It demonstrates some dysfunctional elements that often overshadow meritocracy and professionalism. Although elitism has been

eliminated, the administrative cadre still dominates key policymaking positions in ministries. Slow promotion and uncertain career paths have led to intra-cadre rivalry and jealousy, which are counterproductive to the civil service as a whole.

Despite several attempts to reform and modernize the BCS since independence, it is often criticized as the bastion of a colonial legacy. The earlier reforms hardly made any substantial or visible impact. Ideals of NPM initiated by the Public Administration Reforms Commission (PARC) in 1998 have remained confined to training modules rather than being effectively implemented in the real world. Mollah (2014, p. 32) argues that other than accepting some recommendations of the PARC report, no recommendations have been implemented. Later NPM reforms received brief momentum during the Caretaker Government⁷ in 2007–2009 (until January 2009), yet with little visible results. With the Vision 2021 of the current government, reforms in the BCS—for instance, to adopt a national integrity system, offer an award for innovation, ICT and digitization for service delivery, and the enactment of a right to information act—are all hallmarks for the modernization of public service. Still, these have been inspired more by a political vision for a people-centric administration and ‘digital Bangladesh’ than driven by NPM-led ideology. To materialize the vision of Bangladesh becoming a middle-income country by 2021 and to continue being a role model for development in the world, the BCS needs to cleave to the government’s development agenda. The bureaucracy can no longer be ignored if it is to provide greater synergy for development, modernization, and professionalism. Without an effective and dynamic civil service, such goals will remain unmaterialized.

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⁷A caretaker government is an interim government established during a transition period, to conduct elections and hand over power. Such constitutional provisions have been repealed.

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Civil Service Management in India

Namrata Singh

Human resource development is a multi-faceted concept. It implies harnessing the available manpower to the best of its potential and for its optimal utilization. One of the greatest challenges for governments today, especially in the developing countries, is to develop human resources effectively. Because of their distinctive historical, social, political, and economic milieu, these countries have a complex course of human resource development. Indian Civil Service (ICS) management and its growth offer the best exposition of this complexity. The political narratives of pre-independence and then independent India have shaped the country's civil service, its capacity development, and interventions.

From colonial rule to independence, India saw the adoption of state-controlled capitalism. A pertinent question can thus be asked: In the post-liberalization period, when there was a shift from socialist planning to a developmental model or state directed development (Kohli 2004), did reform or innovation lead to enhancing the capacity of the civil service towards good or sound governance?

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The historical beginning of the civil services (CS) in India indicates a humble start—from just being an adjunct of the king or queen to being the arm of the oppressive police state of colonial rule. After independence, the nature, tenor, and functionality of the CS have tried to keep pace with the changing garb of administrative science: from regulators to facilitators to managers in a neo-liberal globalized state. This chapter focuses on the human resource management of the CS in India from pre-independence to today.

WHO ARE CIVIL SERVANTS?

The term ‘civil service’, as we understand it today, has come to us as a legacy of British rule in India. It was first used in the records of the East India Company in 1765, to designate servants of the company who were engaged in mercantile work and to differentiate them from those engaged in military or naval duties (Misra 1977). Today, civil service in a broader canvas is based on one or more of the following categories:

- All those who draw their pay and allowances from the consolidated fund of India or the consolidated fund of the state.
- It also includes those who draw their pay and allowances from organizations that are funded entirely or substantially by the Consolidated Fund of India.
- In addition, it includes those who perform functions of the ‘state’, irrespective of the sources of their pay and allowances. The instrumentality of ‘state’ includes agencies and corporations whose entire share capital is held by the government, or who enjoy monopoly status guaranteed by the nation state, or who receive financial assistance from the government, or whose functions are of public importance and clearly related to government functions (Kapur and Mehta 2005).
- Along with the institutional definition of civil service, one must add other criteria such as merit-based selection, political neutrality, fixed career, honesty, and integrity.

The chapter now traces the trajectory of CS resource development in India, its underpinnings, and the changes mandated due to the changing character of post-modern administration, governance, and public-service delivery in a globalized, technology-driven world.

HISTORICAL LEGACY OF THE CIVIL SERVICES IN INDIA: A BRIEF OVERVIEW

Officials performing the executive functions of the government have existed throughout Indian history. For instance, during the Mauryan era, in ancient India, as mentioned in Kautilya's *Arthashastra*, the *amatyas* and *mantrins* were the important administrative agents. The highest-ranking officers in the administrative hierarchy were the mantrins who were chosen from the amatyas. But these officers were treated more or less like personal servants. Recruitment to these offices was done on the basis of heredity and family background (Rangrajan 1987). During the Mughal period, the CS was organized on a military basis—the *mansabdari* system. All civil servants were enrolled in the army list as mansabdars and were to supply a fixed number of troops for the military service of the state. They also performed the function of civil administration (Ray 1984). CS in the currently organized form, however, evolved through various stages during the rule of the East India Company and the British rule.

The history of the modern CS starts with the East India Company. The CS under the East India Company was divided into covenanted and uncovenanted civil service. The covenanted service consisted solely of Englishmen. It was called covenanted because '... this category of civil servants entered into a covenant to serve the Company faithfully and gave security for doing so' (Misra 1970, p. 201). The amount of security to be deposited with the company was \$500. The uncovenanted service consisted of Indians, Parsis, and Portuguese. They did not sign any covenant and did odd jobs for the company on a temporary basis (Arora and Goyal 1995).

The East India Company established the CS to enable the company to carry out its tasks. It was therefore predominantly a commercial service. As a consequence, civil servants deliberately maintained a distance from the people and never created an impression that they were in India to transform the Indian society.

The British civil service functioned within the framework of a colonial government, and its major task was therefore to carry out the functions of law and order. None of the British-India provinces developed a code of conduct for the civil servants, so the CS's structure of functioning was disjointed. The functionaries of different provinces were free to recruit and appoint people of their choice. Their pay and allowances

were subject to the discretion of the government and were, as compared to the then-prevailing standards, was high.

The role of the CS underwent transformation when Warren Hastings was appointed the Governor-General of Bengal under the Regulating Act of 1773. Hastings is credited with changing the CS, from 'being a brand [*sic*] of commercial adventures... to a public service in the modern sense of the word' (Ghosal, as cited in Dwarkadas 1958, p. 8). The Regulating Act of 1773 made a clear distinction between the civil and commercial functions of the East India Company. The commercial transactions were separated from revenue and judicial administration.

Lord Cornwallis, who succeeded Lord Hastings, also introduced many reforms in the CS. He introduced a highly liberal system of remuneration and tried to eliminate the patronage system. The idea was to keep the civil servants satisfied so that they would give their best to the government, and also to prevent corruption. It was the Charter Act of 1853 that abolished the system of patronage and introduced open competition as a method of recruitment. The first competitive examination was held in England in 1855, as per the recommendations of a five-member Committee on the CS, headed by Lord Macaulay (popularly known as the Macaulay Committee).

The British CS, in the true sense of the term, emerged on the Indian scene after the East India Company was taken over by the Crown, as a result of Queen Victoria's Proclamation of 1858. The responsibility for conducting competitive examinations for appointment to Her Majesty's CS was thus transferred to the Civil Service Commission (set up in 1855) in London. To meet the educated Indians' growing demand for public employment, the British government set up, in 1886, a committee designated as the Public Service Commission, under the chairmanship of Sir Charles U. Aitchison (hence referred to as the Aitchison Commission). It tried to make the CS more attractive to Indians by abolishing the term 'covenanted' and by creating a three-tier structure: the Imperial Civil Service (subsequently renamed the CS in 1892), the Provincial Civil Service, and the Subordinate Civil Service (Maheshwari 2000).

The process of Indianizing the services was furthered by the Royal Commission on Public Services under the chairmanship of Lord Islington (hence commonly known as the Islington Commission) between 1912 and 1915. This commission also examined and reported on the conditions of salary, service, leave, and pension of the higher CS.

With reference to the basic structure of salaries, the Islington Commission recommended that ‘The only safe criterion is that the Government should pay so much and so much only to their employees as is necessary to obtain recruits of the right stamp, and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service’ (Maheshwari 2000, p. 17).

The Royal Commission on the Superior Civil Services in India (1923–1924) under the chairmanship of Lord Lee of Farham (hence commonly known as the Lee Commission) further Indianized the CS by raising the European to Indian Ratio to 50:50 in the CS and in the Indian Police. To curb political patronage and maintain high standards of recruitment, it also recommended the establishment of the Public Service Commission, which was finally established in 1926. The Lee Commission expressed full agreement with the principle regarding salaries adopted by the Islington Commission.

In 1935, the British Government decided to establish an all-India federation with provincial autonomy. The increased power to the provinces resulted in increasing the number of Indians in the CS. By 1946, there was an exodus of British subjects serving in the CS, largely because they were reluctant to serve under the Indian government.

Although the British government initially only established the CS, it eventually added a Statutory Civil Service and Central CS (CCS). In the course of time, the Statutory Civil Service was weeded out and only the CS, Indian Police and the CCS were retained. At the time of independence, besides the CS and the Indian Police, the country had nine additional CCS.

At the time of independence, therefore, India had a rather well-established CS, referred to with pride as the ‘steel frame’ of the Indian government. However, the Indian leaders displayed a rather ambivalent attitude towards the civil servants and the CS.

The leaders of the Indian National Congress had made it clear during their struggle for independence that they wanted to abolish the CS and all it stood for. J.L. Nehru was ‘quite sure’ in 1934 that ‘...no new order can be built in India so long as the spirit of the CS pervades our administration and our public services...’ (Nehru, quoted in Potter 1996, p. 2). He felt that the CS and similar services must disappear immediately. Yet after independence, the CS was invited to stay on. This was necessitated by the recognition that it would have to play an important

role in the mammoth task of nation-building. Further, the trauma of partition and the resulting problems and tensions made all the leaders recognize the need for stability, and the CS was one of the few institutions that seemed equipped to take on the challenge.

After the initial trauma of partition and its aftermath had subsided, the political leaders of independent India opted for a model of planned development. The model had several key features. First, it aimed at the creation of a dominant public sector to build infrastructure and occupy 'commanding height' in the economy. It was entrusted with the task of accelerating the rate of industrialization by doing what the private sector either did not wish to undertake or did not have sufficient resources to do. Second, it allowed the private sector to produce food grains and most consumer and capital goods under a bureaucratically directed licensing system. Third, to promote self-reliance, it aimed to substitute imports, the idea being that this would also promote rapid industrialization. Fourth, it built high-tariff walls to protect infant Indian industries from competition from industries in the developed countries. Fifth, it instituted a set of controls to regulate the price of essential commodities. Also regulated were house-rents, wages, foreign exchange, and interest rates. Rationing, quotas and allocations were quality-controlled. Sixth, it created a regime of subsidies to keep the prices of essential commodities within the reach of people with limited income.

Despite the deep reservations that the national leaders had expressed during the pre-independence period, the CS was chosen as the agency to implement the planned-development model. The political leaders of independent India found that the then-existing CS was one of the few competent organizations that could provide the stability and continuity the country desperately needed. For instance, Sardar Vallabhbhai Patel, rightly acknowledged as the father of All India Services (AIS), said '... remove them (CS) and I see nothing but a picture of chaos all over the country'. He maintained that the civil servants were 'patriotic, loyal, sincere and able...' (Potter 1996, p. 126).

CIVIL SERVICES IN THE POST-INDEPENDENCE ERA

In the following section, we will be describing the structure, recruitment, training, and functions of the CS.

Structure of the CS

After independence, India continued with the colonial pattern of CS. However, with the growing pressures of administering welfare and development in the sovereign republic, the number and category of government services increased. Today, India has, as the central level, the three AIS and the CCS.

The three AIS are the Indian Administrative Service (IAS), Indian Police Service (IPS), and Indian Forest Service (IFS). The CS and the Indian Police of British times were renamed in 1949 as the IAS and IPS respectively. The IFS was created much later—in 1966. These three services, IAS, IPS, and IFS, are under the joint control of the central government and the state governments.

After independence, certain existing rules and regulations became redundant. Therefore, as per the provisions of Article 312 of the Indian Constitution, the Parliament passed the All India Services Act of 1951, through which the central government framed a new set of rules and regulations pertaining to the AIS. In 1955, the State Reorganization Commission recommended the creation of the Indian Service of Engineers, the IFS, and the Indian Medical and Health Service as new All India Services. Consequently, in accordance with a decision taken at the Chief Minister's Conference in August 1961, the Rajya Sabha passed a resolution on 6 December 1961, for the creation of the IFS. This service was subsequently created on 1 July 1966. The other services mentioned above are yet to be created. Although the Constitution of India also envisages an All-India Judicial Service (Article 312(1)), it is yet to be constituted.

The AIS have a pyramidal structure consisting of a Junior Time Scale (JTS), Senior Scale, Junior Administrative Grade (JAG), Selection Grade, Super-Time Scales, and above Super-Time Scales. The personnel of the AIS serve the central government, union territories, and state governments, but their cadre-controlling authorities are the ministries or departments of the central government. The Ministry of Personnel, Public Grievances and Pensions is the cadre-controlling authority for the IAS, while the Ministry of Home Affairs controls the IPS, and the Ministry of Environment and Forests controls the IFS.

In the IAS, the cadre consists of officers who are recruited via the following means:

- Direct recruitment through combined competitive examination.
- Promotion from members of the State CS. The All India Services Act of 1951 specifies that the senior duty posts, not exceeding 3.5% in the IAS, are required to be filled by the promotion of officers employed in the state services. Promotions are made on the recommendation of selection committees constituted for this purpose in each state.
- In some cases special selections are made, though rather infrequent, from amongst certain gazetted posts under the state governments.

Recruitment to the IPS is also governed by rules and regulations framed under the All India Services Act of 1951. Recruitment happens in the following ways:

- Direct recruitment through competitive examination.
- Promotion from the police services of the states, the promotion quota being 33.5%.
- Through special selection.
- Through the selection of persons from amongst the released emergency-commissioned officers and short-service commissioned officers through a limited competitive examination.

The central services are under the control of the central government. These consist of established services known as the CCS as well as civil posts created outside the established services, which constitute the General Central Services (GCS). Unlike the officers of the AIS, the CCS officials do not work under the state governments.

The CCS are grouped into four categories in order of their importance, namely, Group A, B, C, and D services. The AIS, the CCS (Group A), and the commissioned officers in the armed forces, who provide the leadership to the administration, occupy the top-most rung. The Group B services of the CCS are the second rung of leadership. The Group C services provide valuable support, and the Group D services form the auxiliary wing. However based on the recommendation of the Sixth Pay Commission (2008) the Group D services has now been removed.

The CCS are broadly classified into non-technical and technical services (which include engineering and scientific services). The non-technical services are meant to administer areas such as audit, income tax, posts and telegraphs, and railways. The technical services meet the technical requirements

of the central government. Group A posts also include officers engaged in research in scientific and technological fields. The GCS also consist of both technical and non-technical posts.

Being atypical, uni-functional Group A service, the CCS has a pyramidal cadre structure. The various layers of the pyramid correspond to different levels of responsibilities with functional distinction. The grades correspond to those existing in the AIS. The pay scales are also similar, except in the case of some grades in the IAS, which have a marginally higher starting salary—a provision existing since the First Central Pay Commission.

At the bottom of the pyramid is the JTS, which is generally a probation-cum-training grade for direct recruits. Moving upwards through the hierarchy are the Senior Time Scale (STS), JAG, and Senior Administrative Grade (SAG). In most of the services, a selection grade also exists as part of the JAG. In some cases it is functional, in others non-functional. Generally, all Group A CCS cadres have posts in higher grades, that is, the SAG and Higher Administrative Grade (HAG).

The attributes of an organized CCS Group A, as per the guidelines of the DoPT of the Government of India, are as follows:

- The pay of the highest post in the service is not below the level in the pay band 4 of Rs. 37,400–67,000 with grade pay of Rs. 10,000 (i.e., that of the SAG).
- It has the standard grades of pay in pay band 3 (Rs. 156,000–39,100), namely with grade pay Rs. 5400 (i.e., that for the JTS), grade pay Rs. 6600 (i.e., that for the STS), Rs. 7600 JAG and Rs. 8700 in the pay band 4 for JAG (selection grade), and Rs. 10,000 grade pay in pay band 4 (i.e., that for the SAG) (Fifth Central Pay Commission 1998).
- At least 50% of the vacancies in the JTS must be filled by direct recruitment.

All vacancies above the JTS and up to the SAG are filled by promotion from the immediate lower level.

Promotion from Group B to Group A is a common feature in the CCS. However, the career progression of the various Group B services to Group A services differs considerably from service to service.

The various federating units of the country have State CS, also called the Provincial CS (PCS). These are under the sole control of the state governments.

Recruitment

Recruitment is primarily through very stiff competition at a young age, typical of mandarin-style services. A constitutional body—the Union Public Service Commission (UPSC)—conducts open competitive examinations annually to recruit candidates for the AIS and CCS (Group A and few group B). Table 4.1 lists the services recruited through Civil Services Examination (CSE) conducted by UPSC. The officers thus recruited are called direct recruits or regular recruits.

The Staff Selection Commission (SSC) makes recruitment to non-technical Group C and Group B non-gazetted posts in government

Table 4.1 The services recruited through Civil Services Examination

All India Services (AIS)

Indian Administrative Service (IAS)

Indian Police Service (IPS)

Central Civil Services (CCS)—Group A

Indian Foreign Service (IFS)

Indian Revenue Service (IRS)—Income Tax

Indian Revenue Service (IRS)—Customs & Central Excise

Indian Audits & Accounts Service (IA & AS)

Indian Post & Telecommunication Accounts and Finance Service (IP & TAFS)

Indian Railway Traffic Service (IRTS)

Indian Railway Accounts Service (IRAS)

Central Industrial Security Force (CISF)

Indian Defence Accounts Service (IDAS)

Indian Defence Estate Service (IDES)

Indian Information Service (IIS)

Indian Railway Personnel Service (IRPS)

Railways Protection Force (RPF)

Central Civil Services (CCS)—Group B

Union Territories Administrative Service

Union Territories Police Service

Central Secretariat Service

Defence Secretariat Service

ministries and departments. This commission is an attached office of the Department of Personnel and Training (DoPT). The Estimates Committee in the Parliament recommended the setting up of a Service Selection Commission in its 47th report (1967–1968) for conducting examinations to recruit lower categories of posts. Later, in the Department of Personnel and Administrative Reforms, on 4 November 1975, the government established the Subordinate Service Commission. On 26 September 1977, this was renamed the SSC. The functions of the SSC were redefined by the government through the Ministry of Personnel, Public Grievances and Pensions on 21 May 1999. The new constitution and functions of SSC came into effect on 1 June 1999.

The pattern of the CSE examination up to 2010 was based on the recommendations of the Kothari Commission (1979). It included two examinations, one on general studies worth 150 marks, and the second on one of 23 optional subjects and worth 300 marks. This pattern was revised in 2011. Now, the preliminary examination, popularly known as the Civil Services Aptitude Test (CSAT), focuses on analytical abilities and understanding rather than the ability to memorize. The two tests (called Paper I and Paper II), each worth up to 200 marks, have only multiple-choice objective-type questions.

Paper I tests the candidate's knowledge of current events, the history of India, the Indian national movement, Indian and world geography, Indian polity and governance, economic and social development, environmental ecology, biodiversity, climate change, and general science. Paper II tests the candidate's skills in comprehension, interpersonal skills, communication, logical reasoning, analytical ability, decision-making, problem-solving, basic numeracy, data interpretation, English language comprehension skills, and mental ability.

In May 2015, the government announced that Paper II of the preliminary examination would be qualifying in nature, that is, it would not be graded for eligibility in Mains Examination (explained below), and a candidate now needed to secure at least 33% of possible marks in order to be eligible for grading on the basis of the marks earned from Paper I of the preliminary examination.

The CS Mains Examination (Table 4.2) consists of a written examination and an interview. The written examination consists of nine papers, two qualifying and seven ranking in nature. Candidates who pass the qualifying papers are ranked according to marks, and a selected number

Table 4.2 Pattern of CS mains examination

<i>Civil Services Mains</i>		
<i>Paper</i>	<i>Subject</i>	<i>Marks</i>
Paper A	(One of the Indian languages listed below, to be selected by the candidate (from the languages listed in the Eighth Schedule to the Constitution of India)) (Qualifying)	300
Paper B	English (Qualifying)	300
Paper I	Essay	250
Paper II	General Studies I (Indian heritage and culture, history and geography of the world and society)	250
Paper III	General Studies II (Governance, constitution, polity, social justice, and international relations)	250
Paper IV	General Studies III (Technology, economic development, biodiversity, environment, security, and disaster management)	250
Paper V	General Studies IV (Ethics, integrity, and aptitude)	250
Papers VI, VII	Two papers on subjects to be selected by the candidate from the list of optional subjects (250 marks for each paper)	500
<i>Sub-total (Written test)</i>		<i>1750</i>
Personality test (Interview)		275
Total marks		2025

of candidates are called for an interview or a personality test at the commission's discretion.

Training

The training of civil servants starts with induction courses. Different academies provide the necessary training for the different services. For example, IAS recruits are trained at Lal Bahadur Shastri National Academy of Administration in Mussoorie, IPS recruits at Sardar Vallabhbhai Patel National Police Academy in Hyderabad, IFS recruits at the Foreign Service Institute in New Delhi, and IRS recruits at the National Academy of Direct Taxes in Nagpur. All other services have their own dedicated academy for training.

Mid-career training, domestic and international long-term public-policy programs, state training programs, and intensive training program are also held for civil servants.

The National Training Policy of 2012 has reiterated that the human resource management function has undergone a significant change. Organizations are attaching tremendous importance to the management and development of their people. There is increasing recognition that the individual in an organization is a key resource and should not be simply looked upon as a cost. This is especially so after the process of liberalizing the economy through de-licensing and deregulation (begun in 1991) and after the 73rd and 74th amendments to the constitution, (effective since 1993), thereby creating the third tier of government at the *panchayat* and municipal levels. These, along with other subsequent changes—we make due to mention rapid economic growth, the devolution of funds, functions, and functionaries moved to the panchayats and municipalities, enhanced transparency through the right to information, globalization, climate change, and extremism—have created a complex and challenging environment in which the CS must function. At the same time, there are increasing expectations regarding the CS's performance and ability to respond more efficiently and effectively to the needs of the citizens. To transform the CS, it is imperative to move to a strategic human resource management system that sees the individual as a vital resource, a person to be valued, motivated, developed, and enabled to achieve the mission and objectives of the given ministry, department or organization. Within this transformational process, it is essential to match individuals' competencies with the jobs they have to do and to bridge competency gaps for current and future roles through training (National Training Policy 2012).

Functions of the Civil Services

As far as the functions of the CS are concerned, independence did pose new challenges. The civil servants were no longer expected to perform within what might be characterized as a 'police' state. The welfare of Indian citizens was viewed as the central objective to be achieved by the Indian government, and the CS was to be an instrument for carrying out these welfare functions. The civil servants were also to play a crucial role in the overall development of the country. CS duties included advising ministries on all matters of policy, supervising all aspects of government, social service, and numerous other routine functions. All these functions of the public officials were, and still are, exercised in the context of parliamentary democracy in India. The officials are accountable

directly to the political executive and indirectly to the parliament and the people.

Following independence in 1947, through to the late 1980s, India saw a dramatic expansion in the role of the government. The initiation of economic planning in 1951 with the launch of India's first Five-Year Plan gave the CS the role of administering the country's development. In this new mould, civil servants were expected to participate in administering public enterprises, regulating the private sector, formulating policies, eliminating poverty, developing rural areas, managing budgeted money wisely and efficiently, reducing the gender gap, eliminating social inequity, and so forth.

State enterprises, whether newly created or expropriated from the private sector, were heralded as the driving force for equitable economic growth. Wealth generated by these enterprises was expected to finance welfare services such as free health care, education, and essential infrastructure facilities. This was expected to take the country in the direction of a 'socialist way of life'.

Initial results were encouraging, with impressive improvements in human development indicators such as life expectancy, infant mortality rates, and literacy. However, in the long run, this optimistic picture proved illusory. The socialist economy, either due to inherent contradictions or deliberate design, failed to deliver the expected dividends.

The results, in terms of the delivery of services, became less important than acquiring political influence or self-enrichment. The growth of the civil service, though apparently unstoppable, was evidenced more in terms of employment than productivity. At the same time, the institutional environment of the CS declined as the quality of governance deteriorated. Political interference increased and the CS became a source of patronage and influence.

Civil servants ceased to be held accountable for non-performance and non-compliance with financial and administrative regulations. Public confidence in the competence and integrity of the civil service, earlier heralded as the 'steel framework of India', plummeted. The legitimate rewards of contributing to the nation-building process, status, and salary were devalued and overtaken by illegal—if not officially condoned, at least overlooked—benefits from the abuse of public office. Consequently, high-quality professional and managerial staff, which forms the backbone of any competent public service, sought careers elsewhere.

In such a scenario, it was hardly surprising that the CS's prestige declined. In 1953 it was voted one of the top nine CS in the world; today it is ranked amongst the worst. This decline has coincided with the decline of India's image in international trade forums. India has slipped from sixth to eleventh in the AT Kearney Foreign Direct Investment Confidence Index. One of the main reasons cited for this is the perception that the bureaucracy in India is 'obstructionist'. In the Transparency International Corruption Perception Index Table of 2015, India ranked a lowly 76 out of 167 nations, the blame again being passed on to the bureaucrats.

Concurrently, in the early 1980s, India faced a severe resource crunch. The crisis was precipitated by reckless public expenditure. Foreign exchange reserves fell to a level just sufficient to meet the import requirement of the country for two weeks. India's international credit ratings had plummeted, and the confidence of the financial community in its ability to manage its resources fell to an all-time low. India was on the brink of default. The situation worsened by the end of the 1980s, and this necessitated large borrowing from international financial institutions such as the International Monetary Fund and the World Bank. These developments raised queries about the effectiveness of the model of development that India had adopted at the time of independence. This led, in 1991, to the emergence of a new economic policy, which saw a rollback of the government in economic activities. While a number of critics denounced these changes as being World Bank motivated, the fact was that the era of liberalization, privatization and globalization was being ushered in.

The new model envisages a different kind of role for the government:

- Reduce the scope of government operations to affordable levels
- Rationalize its machinery to improve efficiency and effectiveness
- Develop an open, objective, and competitive pay structure
- Decentralize executive responsibilities to local governments, executive agencies, non-governmental organizations (NGOs), and the private sector (Nunberg 1989, pp. 2–4).

In other words, the twenty-first century foresees for the nation state a facilitator's role rather than the interventionist role it played in the past—to provide a favourable environment for private-sector participation and

reforms at the macro-level, leading to the contradiction of the public enterprise system and the existence of only healthy public-sector units. This is due to the prevailing belief that what the government can achieve is limited, and that market forces in a competitive environment can provide better services. This implies deregulation, de-licensing, de-control, and dis-investment in the public sector: the government is expected to withdraw from a large number of economic activities.

The new environment demands that civil servants reinvent themselves and act as brains to the system. Additionally, there is a greater realization that privatization usually entails interdependence between the public and private sectors. An essential component of any type of privatization is support from the public sector, a support that requires a substantial level of government competence and public accountability. It is this that led the World Bank to emphasize the need for efficient civil service and good governance. The World Bank has stressed reforms in an institutional environment, economic management, and pay and incentive systems in its governance approach to civil service reform packages (Das 1998). One of the principal lessons from the East Asian success is that a small, competent, powerful, innovative, honest, professionally sound, and contented bureaucracy is crucial for any program of economic resurgence. The civil service of today and of the future will therefore need to don this role.

At the same time, the importance of the civil service organizations arises from the following functions:

- They are catalytic agents of change. In developing countries, they are often the most educated and well-qualified group of people with a presence right down to the grassroots. They have access to information from all over the world, the means to implement ideas, and the communication network to propagate their agendas for action.
- They are the prime actors in enforcing socially beneficial regulations with reference to crucial inputs like land, forests, minerals, energy, water, finance, manpower training, education, health, housing, and the like. They can hasten the setting up of infrastructure, speed up customs clearances, and provide a boost to international trade.
- As watchdogs, they are capable of regulating the actions of all the players and ensuring a level playing field.
- They provide inputs to the maintenance of macro-economic equilibrium by controlling the total money supply, keeping inflation

under check, preventing the dumping of goods by foreign competitors, taking steps to retain a positive balance of payments, adopting a national policy on manpower related issues, and so on.

- They are wedded to the task of defending the unity and integrity of the country against recalcitrant neighbours and misguided internal saboteurs. They can promote peace, stability, and tranquillity, without which no economic, social, political, or creative activity can ever flourish (Report of Fifth CPC 1998).

India today, at both the central and state level, has entered an era of political instability, coalition governments, and frequent changes in government. The CS must therefore play an important role in providing continuity and creating a sense of confidence amongst domestic and foreign investors regarding the soundness of the country's basic administrative structure.

An efficient and conscientious civil service is essential to achieve national goals of economic development, nation-building, amelioration of the downtrodden, and the eradication of poverty. Realizing the imperativeness of efficient civil servants, civil service reform has repeatedly been on the country's agenda.

Civil service reform implies changes in areas such as organizational structure, recruitment, training, service conditions, promotion, control and accountability, neutrality, commitment, performance appraisal, and attitude. Several attempts have been made by various committees since independence to look at various aspects of civil service reform. The Gorwala Report of 1951 recommended organization and method in government and suggested steps to ensure efficiency and discipline in the CS. The Appleby Report of 1953 pointed out that the bureaucratic set up that had sustained foreign rule was a mismatch with India's national aspirations. It recommended major structural reforms which were crucial in radically altering the inhering ideological foundation of the CS and administration. The Administrative Reforms Commission (ARC) of 1966 was entrusted with the task of '...giving consideration to the need for ensuring the highest standard of efficiency and integrity in the public services and for making public administration a fit instrument for carrying out the social and economic goals of development as also one which is responsive to the public' (ARC Report 1970). It made 581 recommendations and brought about structural changes in administration at all levels. The 73rd and 74th Amendment Act of 1993 introduced

new dimensions to grassroots governance. Following these efforts, the most dramatic administrative reform was articulated by the Fifth Pay Commission Report in 1997. It radically altered the prevalent conceptualization of reform by turning to the compulsion of liberalization and the emergence of a new economic order. As a result of the deliberations of these commissions and committees on different aspects of public administration and the recommendations made, there have been several incremental reforms, examples being the creation of a separate Department of Administrative Reforms in the union and state governments, the establishment of the Indian Institute of Public Administration and the Central Vigilance Commission, the Constitution of Lokayuktas in states, a strengthening of citizens' grievance redressal machinery, drawing up of citizens' charters, focus on training and capacity-building of civil servants, restructuring of the recruitment process, and modifications in the performance appraisal system.

Despite such attempts, the CS often suffers from dysfunctionalities. The next section highlights these.

Dysfunctional Constraints

There is a widespread perception in the CS of diminished independence and increased political interference at all levels. The term 'political interference' denotes acts of politicians—whether formally a part of the executive branch of government or not—intended to compel a civil servant, by means of threat or blandishment or both, to follow the course desired by them on decisions which otherwise ought to be taken by the civil servant impartially under the government policy.

Corruption is increasing amongst the services. Bribery is still the most obvious form, and the general misuse of official positions to secure pecuniary advantage is rampant. Civil servants should ideally be impartial enforcers of the law of the land, especially as regards keeping public order, protecting life and liberty, and enforcing economic regulations. In reality, they are often weak and unable to enforce laws when dealing with powerful and well-connected persons. Impartiality in the CS often takes a backseat to the interests of communities, regions, and powerful groups.

The current state of service leaves much to be desired, particularly when viewed in light of the need to preserve democratic polity and the neo-institutionalist criterion of effectiveness, that is, the contribution to an efficient and low transaction cost. To elaborate the case further,

one can study the works of Sarwar Lateef. He points out that for India, ‘there no clear relationship that exists between the government and attributes or dimensions of good governance accountability, predictability and the rule of law’ (Lateef 1992, p. 297). Good governance is laced with dimensions of capacity-building, transparency, commitment to the public good, accountability, rule of law (RL), and conflict resolution. When governance functions according to these six dimensions, it enables social capital in the form of networks and associations; people are drawn together in trust, reciprocity, and cooperation, working for common ends. This entails civic spirit, participation, and respect for law. Horizontal relations of equality should comprise part of the foundation for political development and good governance. In many respects then, good governance constitutes a ‘virtuous cycle’ in which the several elements reinforce one another in a dense interplay (Putnam 1993, pp. 167–176).

The concept of ‘governance’ has been understood in several ways ranging from eclectic to diffused. Its intellectual genealogy highlights the shifts in its conceptual form from the 1950s to the present. Up to the 1990s, the focus was on managerial aspects, particularly micro—and macro-projects and policy. In the last two decades, however, governance has developed a global interface with focus on capacity-building, bringing into focus the role of civil-society actors.

There are two ‘streams of governance’: the first is as a code for less government but still steering and controlling public affairs; the second stream stresses performance, processes, and a recognition of pluralization in the realm of democratic politics. The rationale for measuring governance includes comparison within and across countries, change over time, filling the gap on available indicators, and quantifying the quality of governance.

Worldwide Governance Indicators (WGI) is a report of a study based on the aggregate and individual governance indicators for 215 countries during the period 1996–2014. The indicators are based on the statistical compilation of responses on the quality of governance given by a large number of institutions, general citizens, and expert survey respondents in industries, as reported by a number of survey institutes, think tanks, non-governmental organizations, and international organizations. While the aggregate indicators do not reflect the official views of the World Bank or the countries themselves, they are indicative of the quality of governance and development economies. In the WGI project,

Table 4.3 Worldwide governance indicators for India for five selected years^a

<i>Governance indicators</i>	1998	2002	2006	2010	2014
Voice & Accountability (VA)	57.2	58.2	59.1	60.7	61.1
Political Stability and Absence of Violence (PV)	19.9	15.9	17.3	12.3	13.6
Governmental Effectiveness (GE)	54.1	51.7	54.1	56.5	45.2
Regulatory Qualities (RQ)	32.8	40.2	45.6	39.2	34.6
Rule of Law (RL)	69.3	51.2	56.9	54.5	54.3
Control of Corruption (CC)	43.9	38.0	45.9	36.2	36.9

^aThe higher the percentile, the better the effectiveness of governance

Source www.govindicators.org

comparison is done across six aggregate governance indicators: Voice and Accountability (VA), Political Stability and Absence of Violence (PV), Government Effectiveness (GE), Regulatory Quality (RQ), RL, and Control of Corruption (CC). Table 4.3 reflects how India has fared in these indicators in terms of percentile.

The data is quite indicative of the fact that India must work on various issues. Special emphasis is needed on corruption and violence; in terms of RL and accountability, our percentile is median. However, it is a matter of great concern that electoral democracy need not convert itself into good governance. Singapore, with its strong deterrent-enforcement policies, has achieved the 100 percentile for the indicators of GV and GE, and a high 97.1 for CC. Its VA percentile is relatively low, at 45.2%. China, by contrast, has great economic growth but fares exceptionally poorly in VA, with the percentile as low as 5.42 (Singh 2016). But critics have been apprehensive of these indicators, particularly regarding their effectiveness and how much they matter in development (Matt 2008). The next section suggests a few remedial measures in this direction.

Remedial Measures

The ramifications of global changes are being felt by India's government in the form of increasing citizen expectations for better governance through effective service delivery, transparency, accountability, and RL. The CS, as the prime constituent of the government, must keep pace with the changing times in order to meet the aspirations of the people. The purpose of reform is to reorient the CS into a dynamic, efficient and accountable apparatus for public service delivery built on

the public service ethos and values of integrity, equity, and neutrality (Fadia 2014).

In recent times, there have been accelerated changes globally due to the communication and technology revolution, liberalization, globalization, privatization, decentralization, and social activism. A primary challenge for the government is thus to exploit the advantages of globalization and these other changes in order to ensure democratic polity and to preserve the country's sovereignty. The CS reforms must be multi-faceted, as observed by the CSE Committee (Y. K. Alagh Committee) in its report submitted in 2001: 'recruitment, training and management of the CS are interrelated components of the same system and one cannot succeed without the other. Any effort to rectify only one aspect to the exclusion of others will mean trying to cure the symptom rather than the disease' (Y. K. Alagh Committee 2001).

A few areas of reform that can be mentioned are the CS Performance System, the Performance Related Incentive Scheme (PRIS), strengthening meritocracy in service, reforming the Annual Confidential Report Process, developing specialization and professionalism, mobility for the services and lateral entry of professionals, stability of tenure, and improving service delivery.

CS employment is based on a time scale, and personnel have security of tenure. This often leads to complacency. In addition, the lack of incentives and dis-incentives for good and bad performance tends to de-motivate civil servants. The Surender Nath Committee has discussed how performance appraisal should be used:

Given the rapidly evolving challenges of public management, the present objectives of performance appraisal need to be widened and deepened to respond to the emerging needs of governance. In this context, performance appraisal cannot serve only as a tool to assess suitability for vertical movement, but should be primarily used for the overall development of an officer, and for his placement in an area where his abilities and potential can be used to best advantage. (Surender Nath Committee 2003, p. 4)

The report of the Sixth Central Pay Commission thus advocated for PRIS: 'PRIS provides an opportunity to shift from the classical command and control administrative approach with vertical and horizontal differentiation to [a] more holistic, flexible, empowering, and consultative styles of working leading to greater job satisfaction and productivity' (Report

of the Sixth Central Pay Commission 2008, pp. 15ff.). Compensating good work with higher emoluments and enhanced status will definitely motivate civil servants. East Asian successes like Singapore and Malaysia are the best examples of such a system. A Civil Service Board is to be set up to look into matters of transfer and promotion. “The Commission must be entrusted with the total management of the service and it must have [the] last word in all respects” (Bagchi 2007, pp. 491–492). The Surinder Nath Committee recommended setting up an ‘eminent persons group’ to review the performance and reputation of the civil servants through both structured and discreet methods. This type of neutral and apolitical evaluation would lead to correct performance evaluation and would help remove the ‘deadwood’. Amongst yet other recommendations, the Hota Committee firmly reiterated that a Civil Services Act must be enacted to make the Civil Services Board/Establishment Board both in the states and in the central government of India statutory in character (Report of the Civil Services Reform Committee/P. C. Hota Committee 2004). Similarly, the civil servants need modern and specialized training to become an internationally competing government. Thus, in terms of the areas for improvement or reforms, the CS needs to keep changing, innovating, and improving to meet the challenges and aspirations of today’s world and global citizens. Reforms are thus not only the need of the hour: they are a necessity.

...it is not only imperative but inevitable that, administration are[*sic*] made simple, effective, efficient, transparent and accountable. Improving service delivery necessitates a dynamic change in philosophy and practice from (a) administration to management, (b) excessive regulation to facilitation, (c) administrative-centric governance to citizen-centric governance, (d) centralized to decentralized governance, (e) expenditure tracking to outcome tracking, and (f) viewing citizens as customers rather than as beneficiaries. (Fadia 2014, p. 76)

R.B. Jain has also given a model which would eventually lead to developing good governance and sustainable development. He includes concepts like adopting a normative model of good governance, a public–private sector strategy, accountability as a basic requisite of good governance, the use of information-technology and e-governance, combating corruption, a citizen-oriented paradigm, and reserving policy sciences (Jamil et al. 2013).

To use institutional devices for initiating good governance factors has become the mantra for India today. ‘Mere good governance is not enough; it has to be pro-people and pro-active. Good governance is putting people at the center of [the] development process.’ Such ideals have been reiterated by the current government. ‘Digital India’, ‘Swacch Bharat’, ‘Beti Bachao Beti Padhao’, and ‘Make in India’ are examples of such efforts. Reorienting, reinventing, and restructuring political and administrative activities in order to eradicate dysfunctions and deficiencies are imperatives to effective governance. Governance for development is a multi-dimensional task. We need to focus on volatile information dynamics (e-governance), utilization of manpower (human resource development), sustainable development (green governance), and strengthening democratic decentralization (local governance). ‘In the happiness of the subjects lies the king’s (state’s) happiness, in their welfare his welfare’, as quoted in our ancient *Dharamshastras*, best epitomizes the fundamental goal and purpose of good governance.

CONCLUDING OBSERVATIONS

The paradigm of good governance dominates the administrative field today. The changing discourse of economic development and new narratives of the globalized world, however, have brought forth a shift—from a mechanistic form of governance to a more capacity-building and rights-based form. Governance has gone beyond government and dwells upon state-society relations. As a concept and an ideological discourse, governance has moved from a technical, mechanistic, conditional paradigm as pronounced in the World Bank’s definition of it, to a participatory democracy conceptualized as a global society.

CS is responding and should continue to respond to the changing needs of governance. It is a continuous process and needs to be articulated based on new and imaginative solutions that are tailored to localized needs, rather than on a ‘one-size-fits-all’ approach. Being normative, human resources development can never be just a technical exercise. The process of administrative development in India has been a continuous one. It is still evolving. There can hardly be a universal mode; it will always be context specific, spatially oriented, and responding to the governance of the hour.

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Civil Service Management in Nepal

Shree Krishna Shrestha and Narendra Raj Paudel

Although there may be no universally accepted definition of civil service, in practice, the main purpose of any civil service system is to implement the public service delivery policy decided by the political elite of a country. In general, teachers, pilots, rail drivers, nurses, medical personnel, police, judges, employees of the local government, and others can be categorized as civil servants. The combination of these personnel is country specific. In the Nepalese context, civil service means the public services excluding the Nepal army, Nepal police force, and any other services which the country's laws do not deem civil service organizations (Article 243, Nepal's Constitution, 2015).

The modern Nepalese Civil Service (NCS) was established after the promulgation of the first Civil Service Act in 1956. The Act and its regulations have been amended in 1961, 1963, 1993, 2007, and 2014. The policies on recruitment, transfer, promotion, training, retirement, fringe benefits, grievance-handling methods, and unions were amended and revised with these amendments. The latest amendments of Civil Service Act (1993) and recommendations made by the Administration Reform Commission (1992, 2007, and 2013), are based on a New Public Management (NPM) approach to governance, the objective being

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to achieve efficiency and effectiveness in the NCS through contracting out manual jobs and implementing a merit-based selection process when recruiting civil servants. The merit-based principle now also extends to lateral entry (discussed below) and promotion within the services. However, there is still a lack of comparative study of these amendments of the Civil Service Act and its regulations. In this context, there is one main question: What actual changes have occurred in the civil service rules and regulations? This chapter aims to answer this by analysing the recruitment process and promotion system in the NCS during the Shah period (1768–1846), Rana Regime (1846–1951), and up to today. It also analyses the salary and other benefits provided to civil servants based on their performance, examines the training provided to civil servants to enhance their capacity and performance, and discusses cross-cutting issues faced by the NCS.

To substantiate the objectives, the study is based on secondary literature of the particular periods and adopts a historical approach. In addition, some primary data were collected from experts on civil service reforms and changes.

CIVIL SERVICE IN NEPAL

The operational model of Nepal's civil services has changed frequently due to the movement of people and changes in the political regime since the services were first established.

During the Shah Regime (1768–1846) and also after the unification of Nepal and the Rana Regime (1846–1951), there was no clear distinction between military personnel and civil employees. Military personnel led both the civil and the military organizations. During the Shah Regime, the administration was run by *Chautaria* (the prime minister). The other positions included the *Kajis* (administrators who supervised all civil and military affairs), *Sirdars* (military commanders), *Kharidars* (secretaries in political and external departments), *Kaffarads* (in charge of the king's wardrobe), *Khazanachi* (a treasurer), *Tacksali* (in charge of the mint), *Dharmadhikar* (the highest judiciary which tried civil and criminal cases), *Bicharis* (subordinates of *Dharmadhikar*), *Ditta* (in charge of the police and court), *Jaitha Busa* (an elder or aged person who is consulted for important decisions), *Subba* (a district governor), and Omras (military commanders of outposts). Likewise, the prime minister was the head of the administration during the Rana Regime.

Table 5.1 Trend of Nepalese Civil Service (1962–2014)

<i>Year</i>	<i>Gazetted (%)</i>	<i>Non-gazetted (%)</i>	<i>Office assistant (%)</i>	<i>Total civil servants</i>	<i>Increase in previous decade</i>	<i>Population (in million)</i>	<i>Ratio of population and civil servants</i>
1962/63	4	42	54	24,745	–	9.32	377
1970/71	7	54	39	39,685	60.38	11.43	288
1980/81	10	59	31	71,232	70.49	14.83	209
1990/91	11	58	31	100,632	41.27	18.27	182
1996/97	12	48	40	88,509	–12.05	18.27	207
2003/04	9	57	34	75,151	–15.1	23.15	309
2010/11	14	57	29	75,064	–0.12	26.5	354
2014/15	22	52	26	80,108	6.72	28	350

Source Ministry of General Administration (MoGA) (2014), Pradhan (1976), and Bhatta (1999)

He was assisted by the *Mukhtiyar* (commander-in-chief) and four commanding generals (eastern, western, northern, and southern). There were also director generals called *Badakaji* and *Kaji*.

After the abolition of the Rana Regime in 1951 and particularly after 1956 when the Civil Service Act was implemented, a clear division was made between Nepal's civil and military administration. The civil administration was categorized into gazetted officers, non-gazetted personnel (non-officers), and peons who worked as office assistants. Despite the lack of clarity about the civil administration during the Rana Regime, there were 4236 individuals in the civil service in 1848. By the end of the regime, this number increased to 28,047. An overview of the number of civil servants from 1962 to 2014 is presented in Table 5.1.

As Table 5.1 shows, the total number of Nepalese civil servants has been gradually increasing. In 1962, out of a total of 24,745 civil servants, there were 4% gazetted, 42% non-gazetted, and 54% office assistants. The number of office assistants (peons) was high because it was a matter of prestige for officers (*Hakim*) to recruit many office assistants during their tenure. These assistants, in addition to working in offices, also did the officer's household chores. During the Panchayat Regime (1962–1990), the gazetted civil servants increased from 7 to 11% and the non-gazetted from 54 to 58%, while the number of office assistants decreased from 39 to 31%. However, during the 30 years of this regime,

the total number of civil servants increased from 39,685 to 100,632—a huge increase. After the restoration of democracy in Nepal, the number of civil servants and office assistants decreased at the same time as the civil service’s internal structure changed. During the period from 1990 to 2014, gazetted officers increased from 11 to 22%, there was a marginal increase in non-gazetted personnel, and the number of office assistants was further reduced. Also during this period, there was an initiative towards professionalism, impartiality, merit-based selection, and greater inclusiveness or representation. These initiatives, however, have not silenced the critics of the NCS, who have pointed to the presence of corruption, domination by a certain caste, less representativeness, and non-performance (Nepal 2012; Shakya 2009). It is therefore pertinent to ask how the civil service administration functions in Nepal. The following sections discuss the civil service policies adopted to manage the NCS, highlighting the impact of the policies.

RECRUITMENT IN NEPALESE CIVIL SERVICE

NCS personnel have been recruited in several ways over the years.

The Shah Period (1768–1846) During the Shah Period, the government paid less attention to strong administration and more attention to expanding its territory (Pradhan 1976). When territories were acquired in the west and east, no separate administrative apparatus was set up. Instead, the defeated rulers of those territories were given the authority to govern under the direction of the King of Nepal. The king was both the head of state and head of government. As head of the state, he performed several duties. He could appoint or dismiss those in government service. The king functioned also as the lawgiver. He issued codes defining what constituted crimes and what should be meted out as punishment. He promulgated regulations, called *Swals* for guidance of departments and the offices concerned (Regmi 1965). The *Thar Ghar* aristocracy developed during the Shah Administration. These public posts were granted only to members of the nobility, for example, *Kappardari* (in charge of king’s private wardrobes, jewelleryes, and kitchen) for Kalu Pande’s descendants, *Kaziship* (employee who deals with all external and internal affairs) to Basnait, and commanders of armed forces were selected from the Basnait and Pande families.

The Rana Regime (1846–1951) During the Rana Regime, the higher echelons of administration were filled with Rana family members. The prime minister was the source of authority; therefore, discretionary decision-making in the lower echelons of administration was limited or virtually non-existent. The civil and military administrations were merged. Knowledge of *Ain* and *Sawal* (rules and regulations of the government) was limited to government officials: the population was left largely in ignorance of them. The system of *Pajani* (annual renewal of the posts), which left employees with no job security, gave room for nepotism and favouritism (Pradhan 1976; Poudyal 1991). The Pajani system was a useful tool not only to appraise a person's performance but to continuously check his loyalty and devotion to his masters, the Ranas (Joshi 1983, p. 93). However, information about the vacant positions of *Badabakim* (district chief), *Ditta* (in charge of police and court), *Bichari* (who assisted Ditta), *Ditta Subedar*, and so forth, both from the valley and outside of valley offices had to be provided to the Civil Service Record Department within seven days after a post became vacant. A call was then made for applicants to fill these posts within three days of the information received. In the case of delay, the concerned official was punished (Dhakal 1987, p. 3).

After the revolution in 1951 After the Rana Regime was abolished, there was a provision of the Public Service Commission (PSC), in Article 16 of the Interim Government of Nepal Act (1951), which stated that every citizen has equal opportunity to be recruited to public service. Article 17 stipulates that each person appointed to a position in the civil service shall be recruited on the basis of merit. This rule, however, has not been followed except for when filling some technical positions and when fixing a minimum qualification for some positions. Shrestha (1962, p. 55) has assessed the role of the PSC in its recruitment of civil servants. According to him, the recruitment of civil servants on the recommendation of PSC from the time of its creation to the promulgation of the Civil Service Act and Rules in 1956 was not encouraging. Tiwari (2004) argues that the PSC did not function properly because of frequent changes in the government, a lack of rules and regulations, a lack of democratic practices, and the absence of a culture required for recruitment—this, even though the M.N. Buch Commission (1952) had suggested the government should screen old employees and recruit new employees on the basis of merit. Joshi (1983, p. 94) has also diagnosed

the situation: the PSC, he says, was unable to discharge its functions properly due to the absence of rules that were appropriate to the new governmental situation and the continuity of the old ones.

In 1956, Prime Minister Taka Prasad Acharya laid the cornerstone for modern civil service through the promulgation of the Civil Service Act. He was assisted by the Indian lawyer G. Murdeshowr. He formulated other regulations such as the Nepal Administrative Service Rules (1956) and the Nepal Administration Level Classification and Recruitment Rules (1956) to consolidate the Civil Service Act and regulations. As per this legislation and other regulations and rules, the personnel of the Nepal Administrative Service were classified into first, second and third class. Out of the total number of vacant positions, 50% were filled through open competition, and the remaining ones were filled through promotions within the third class. In the case of the upper class, 100% were fulfilled through promotions from the lower level. After the election in 1959, the government of Prime Minister B.P. Koirala also attempted to make the civil service more merit-based. Koirala implemented the Administrative Reorganization Planning Commission's (ARPC) recommendation to create more service organizations within the NCS. In addition to amending the regulations for the already established Nepal Administrative Service and the Nepal Judicial Service, the government also framed rules regarding the creation of other services. Consequently, in 1960 the Nepal Health Service, Nepal Forestry Service, Nepal Agriculture Service, Nepal Education Service, Nepal Revenue Service, and Miscellaneous Services were established (Gazette in 1960 March 3). Within the Revenue Service, a non-gazetted service was also created.¹ As per this rule, any person could be recruited directly to first, second, or third-class positions, including already employed and experienced civil servants. Candidates were to be recruited on the basis of educational qualification, experience, and their past individual official record. If necessary, interviews were to be conducted. Only on these conditions could the government recruit personnel. The government was trying to institutionalize civil service.

In the meantime, King Mahendra Shah hijacked the parliamentary democratic system in 1960. As a result, 3000 civil servants were suspended because they were recruited by the Congress government. People who were loyal to the king were recruited for those vacant

¹Nepal Gazette, Part III, section 9, no. 49, 28 March 1960.

positions. Joshi and Rose (1966, p. 192) have opined that these 3000 were probably recruited without any consultation with the PSC. In fact, the government suspended the PSC until 1961 and simply recruited based on its own preferences. Civil servants were recruited without the PSC being consulted for two years.

The Panchayat Period (1962–1990) During this new period, the Civil Service Act of 1956 and its regulations (1965) have been amended more than two dozen times. As per this Act and regulations, civil servants in Nepal are divided mainly into two broad categories: gazetted and non-gazetted. Gazetted civil servants include the gazetted special class (chief secretary, secretary, and others), Class I (joint secretary, joint zonal commissioners, director general, and others), Class II (undersecretary, directors, deputy director, assistant zonal commissioner, chief district officers, land administrator, land reform officer, district education officers, and others), and Class III (section officers, panchayat and development officers, administrative officer of district office, and others). Likewise, non-gazetted include Class I (Naib Subba and others), Class II (Kharidar and others), Class III (Mukhiya and others), Class IV (Bahidar and others), and Class V (peons). As per the Civil Service Act of, 1956, the gazetted class contains ten services.² In the non-gazetted category, there are only three services.³ Besides these services, the government of Nepal could create any new service both in gazetted and non-gazetted categories by notifying in the Nepal Gazette.

During the Panchayat period, the PSC, a constitutional body, was the main agency for recruiting civil servants. As per the PSC (Procedural) Act of 1963, three methods could be used for testing candidates: a written test, a practical test, and an interview. The PSC was also mandated to determine the qualifications the recruits should have. Gazetted Class III civil servants were recruited through either open or closed competition. In the case of open competitions, every Nepali citizen over 21 years of age and who had at least a bachelor's degree or diploma was qualified to compete. For closed competitions, every employee of government of Nepal who had served for five years in non-gazetted Class I was qualified

²Nepal education service, Nepal Judicial Service, Nepal Health Service, Nepal Administrative Service, Nepal Engineering Service, Nepal Forest Service, Nepal Agriculture Service, Nepal Foreign Service, Nepal Miscellaneous Service, and Nepal Revenue Service.

³Nepal Revenue Service, Nepal Judicial Service, and Nepal Administrative Service.

to compete. The other gazette positions were filled through promotion methods. In the case of fresh recruitment to positions in non-gazetted Class I, II, III, and IV, the PSC held open competition examinations from time to time. As per Civil Service Regulation of 1964, gazetted employees were appointed by His Majesty,⁴ (HMG), whereas non-gazetted were appointed by the chief of department. Despite this mandatory provision, the PSC was bypassed in recruiting civil servants at Class II level (land reform officer and Panchayat director). Still, these recruits had to take written tests conducted by PSC. Those who passed the examination became permanent civil servants of HMG, and those who failed were compelled to resign from the post (Tiwari 2004, p. 92). Moreover, there was also new recruitment in lower positions up to 1990.

After the restoration of democracy in 1990 The new Civil Service Act of 1993 was enacted after democracy was restored. This legislation fixes the percentage of vacant seats for which recruitment is to be made and clarifies the methods of recruitment, which included both open competition and promotion. Promotion is now to be based on performance evaluation, internal competition, and inter-service competition. Seniority and performance-evaluation methods have been added in the third amendment of the Act.

As per the Civil Service Act of 1993 (amended 2013), classless employees (office assistants) who do manual jobs such as housekeeping, cleaning, gardening, and so forth are to be recruited on contract. For the post of non-gazetted II (Kharidar), 70% of vacant positions are to be recruited through open competition, 20% through internal competition, and the remaining 10% through seniority and performance evaluation. For non-gazetted I (Nasu), 40% of vacancies are to be recruited through open competition, 20% through performance evaluation, and the remaining 40% through seniority and performance evaluation.

In the case of the gazetted III (section officer) level, 70% must be recruited through open competition and the remaining 30% through seniority and performance evaluation. For gazetted II officers, 10% are to be recruited through open competition, 35% through performance evaluation, 20% through internal competition, and the remaining 35% through seniority and performance evaluation. The same ratio is followed in the case of gazetted Class I recruits.

⁴The Government of Nepal is referred to as 'His Majesty' during monarchy.

The secretary and chief secretary are to be recruited by the government of Nepal. To make the NCS more representative, a reservation policy was introduced in the through the second amendment to the Civil Service Act in 1993. The provision states that 55% of the total vacant positions should be recruited through open competition, and the remaining 45% should be reserved for quotas based on gender, caste, ethnicity, backward areas, Madhesis, and the disabled. Out of the total number of posts allotted to persons from quota groups, 33% seats are reserved for women, 27% for ethnicity, 22% for Madhesis, 9% for Dalits, 5% for the disabled and 4% for backward areas.⁵

PROMOTION IN THE NCS

The Rana Regime (1846–1951). There was initially no upper age limit to enter the service, but the starting age was no less than 16. Not until 1951 was there a provision for a mandatory retirement age (Joshi 1983, p. 93). Under the administrative set-up of the Rana Regime, seniority was the major basis for promotion (Pradhan 1968, p. 28). However, in reality, loyalty to the Rana prime minister and access to and the favour of senior members of the Rana family were the most important criteria for promotion. Thus, promotion of government servants was based on subjective and arbitrary grounds (Shrestha 1981, p. 257). *Chakari*,⁶ *Salami*,⁷ *Pan Phool*,⁸ *Najarana*,⁹ and *Darshan Bhet*¹⁰ denote systems or methods for being appointed or promoted during the Rana Regime

⁵‘Backward areas’ refers to seven districts (Achham, Jajarkot, Mugu, Humala, Jumla, Kalikot, and Dolpa districts) out of a total of 75 districts.

⁶Chakari means to please the boss through doing personal services.

⁷Salami was a system whereby a government servant would present cash to the prime minister and chief Saheb on the occasion of the Dashain festival. Later on, this was formalized and the amount was deducted from the person’s salary.

⁸Pan Phool was a system of presenting a certain amount of money to government servants. This used to be presented by the clients along with the betel leaf and flower.

⁹Najarana was a system of presenting some gifts in cash or kind to the Ranas on the occasion of their marriage, festivals, etc. It was also eventually formalized, and the amount was deducted from the salary.

¹⁰Darshan Bhet was a system whereby a new recruit would give an amount of cash to the prime minister. The amount was determined based on the person’s pay scale. This system was initially based on tradition, but by the time of Chandra Shamsher, it was formalized and separate desks were set up in the office of personnel records to collect the amounts.

(Poudyal 1991). There was a separate Darshan Phat under *Commandari Kitab Khana* to look after those who had presented *Salami, Najrana*, and so forth (Joshi 1983, p. 93). Joshi also states that government operations were relatively simple at the time (p. 94), so as long as a civil servant could keep the Ranas in good humour, he could retain his job and look forward to promotion, even without increasing his efficiency and competence. None of civil servants could aspire for higher jobs on the basis of their own meritorious performance if they did not flatter the Rana family (Haque 1974, p. 2).

During 1951–1956 Although statutorily, the PSC was to be consulted on matters relating to methods of recruitment, principles to be followed in making appointments, promotion and transfers, and on all disciplinary actions against gazette officers, the PSC concerned itself only with recommending candidates in the order of merit as determined by tests given in Kathmandu (Joshi 1983, p. 95). Civil servants' access to those in power was largely determined their opportunity for promotion (Shrestha 1981, p. 258). For example, politicians ignored the constitutional role of the PSC and promoted their own relatives and favoured people. In 1955, seven *Bada Hakims* (heads of district administration) were promoted simply on the grounds of local public opinion and the recommendation in the report of the Tour Commission, yet without the PSC being consulted (Devkota 1959, pp. 311–312). Examples like this show that the old system of the Rana Regime continued, more or less, but in the new environment with the new institutional and constitutional arrangement. The results were chaos and confusion between norms and practice (Shrestha 1981; Poudyal 1986).

During 1956–1963 On the recommendation of the ARPC, the Civil Service Act and Rule of 1956 was implemented. As per the rule, a five-member promotion committee was established, either under the chairmanship of one of the members or a member of the PSC, and its role was to recommend candidates for promotion on the basis of their job performance. The rule also stated that nobody in the service would be promoted unless he was the most senior amongst the civil servants belonging to the given service or grade. However, according to the rule, the senior civil servant might not be promoted if he was unsuitable or unqualified for a higher post, or if any junior member happened to be especially suitable for such a post because of his special qualification,

training, and experience. Similarly, in the case of promotion to the post of secretary or equivalent, merit was to be the only criteria taken into consideration. Thus, in general, the main promotion criteria as enshrined in the Civil Service Act and Rule of 1956 were seniority, merit, and job performance (Shrestha 1981, pp. 259–260). But despite the rule, those civil servants who had direct connections to political leaders and high-level officials could be promoted. Shrestha (1981, p. 260) argues that act and rule were not as detailed as required when it concerned promotion. Besides, political instability leading to frequent cabinet changes made it difficult to put the promotion criteria into practice. The efforts made during this period, however, do represent a milestone in the history of the NCS, and they provided a backdrop for the subsequent efforts made in search of a sound promotion system (Shrestha 1981, p. 262).

During 1963–1993 and onwards In 1963, the old Civil Service Rule 1956 was superseded by a new rule that provided for the creation of two promotion committees: one for special positions, and the second for the gazetted posts of different ranks. As per this rule, the main function of the committees was to make recommendations for promotions to the gazetted posts of different ranks. No promotion would be given without consulting the PSC. Shrestha (1981) argues that the promotion system was more subjective than objective. More discretion was given to the committees. Against this backdrop, the Administrative Reform Commission (Jha Commission) suggested that seniority, experience, educational qualification, training, and job performance are to be taken into consideration for promotion in the NCS. In 1968, the Civil Service Rule of 1963 was amended on the basis of suggestions from the Jha Commission. Marks were now to be allotted for seniority, experience, educational qualification, and on the basis of a departmental (job performance) report, and each of these factors could be worth up to 100 marks. The civil servant securing the highest marks would be given the first preference for promotion. Even before this amendment, however, there was an amendment in 1966 which had introduced a ‘dual ladder’ for promotion of civil servants through a closed competitive system and an automatic promotion system. Promotion to 25% of the total vacant posts was through the closed competitive system, and 75% were through the automatic promotion system. In the closed competitive system, those civil servants who have served five years continuously were eligible for taking a closed competitive examination. In the case of the automatic

promotion system, such criteria as seniority, experience, educational qualification, special achievement, and one's job performance rating would be taken into consideration. In yet another amendment to of the rule in 1978, 'merit and performance' were mentioned instead of merely performance. After the restoration of democracy in Nepal, the Civil Service Act of 1956 was replaced by the new Civil Service Act of 1993. This did not include the term 'merit'. After six years, the government made a policy to promote one chief secretary from amongst the secretaries on the basis of seniority and a performance evaluation. Examining the current criteria for promotion in the NCS, it is clear that seniority, service in classified areas, experience in responsive positions, educational qualification, training, research output, performance evaluation, physical fitness, and rewards are taken into consideration. According to the Civil Service Act of 1993 (third amendment in 2007), seniority accounts for 30% of the total marks for promotion purposes. Likewise, 16% of the marks are allotted for 'services in classified areas', 12% for educational qualifications, 2% for training, 40% for one's performance evaluation, and 16% for services in classified areas.

SALARY AND OTHER BENEFITS IN THE NCS

During the Shah Period, before 1846, public officials were given a land grant, Jagir, in lieu of a salary (Regmi 1965, pp. 2–3). During the Rana Regime (1846–1951), the financial administration was structured such that the primary duty of civil servants was to make a surplus of wealth for the benefit of the prime minister. Salaries were paid annually (Bhatta 1999, p. 155). In 1900, legislation was passed which made it mandatory for the various offices to submit a salary report; it was then verified by the Civil Record Department (p. 148).

After the introduction of democracy in 1951, the Pay Commission under the chairmanship of D.P. Bama was constituted, but it did not have an effect on civil servants' salaries. In 1961, the Permanent Pay Commission was established under the leadership of the finance secretary. After this, salaries increased in 1964, 1973, 1976, 1978, 1981, 1984, and 1989 (Bhatta 1999; Tiwari 2004). Tiwari (p. 169) evaluated the nature of salary increases from 1951 to 1989 in accordance with the price index. He found that in addition to receiving a salary, civil servants received a pension, gratuity, medical treatment, work injury compensation, and leaves of absence—all of which proved to motivate them.

However, it must be said that the salary scale for Nepalese civil servants is lower than in any other South Asian country (Rana 2005).

TRAINING IN THE NCS

Most of periodic plans and reports of the administrative reform commission have emphasized the training of civil servants. There were no training institutes during the Rana Regime except ‘Char Pass’ and ‘Aghara Pass’. The Butch Commission Report of 1952 suggested providing training to all civil servants. This initiative, however, was not implemented properly, and neither were the suggestions of the Beda Nanda Jha Commission were. Between 1856 and 1964, nine training institutions were established.¹¹ After seven years, an Administrative Reform Commission was constituted to provide suggestions on training. Due to its suggestions, both the Public Administration Campus (1976) and the Staff College (1982) were established. Yet it was not until 1989 that the Civil Service Training Policy became a focal concern. The government formulated another training policy in 2001, recognizing that training is essential for the delivery of quality public services. This policy was based on the recommendations of the Administrative Reform Commission in 1992. Likewise, a Training Policy for Civil Servants was presented in 2017, on the recommendation of the Administrative Reform Commission report from 2007. This policy highlights the training objectives and strategies, the training programme and methods, training monitoring and evaluation, and training coordination with different concerned stakeholders. As a result, training institutions in the government sector—for instance the Nepal Administrative Staff College (NASC), the Postal Training Centre, the Revenue Training Centre, the Health Training Centre, and others—are now in operation.

Even though the need of training for innovation in administration had been recognized since the First Five-year Plan (1956–1961), it is still a neglected area in Nepal. In the words of Tiwari (2004), there are problems at each step of the training management. There are problems with identifying and selecting those who should receive training, and once people are selected, the training they receive can still be poor. As a result,

¹¹These were the Forestry School, Bhimphedi, the Agriculture School of Kathmandu, the Rural Institute in Kathmandu and Rapti, the Nurse Training School in Kathmandu, Health Assistant School Kathmandu etc.

civil servants have poor performance in service delivery. Despite this, civil servants desire training because it gives them marks for promotion purposes. However, in the study carried out by Awasthi and Adhikari (2012), which assesses the impact of management and development training organized by the NASC, the researchers found that management and development training have contributed to improving the knowledge of trainees. Still, the application of this knowledge is yet to be observed. One thing is certain: there is a positive relation between understanding and application. In the case of the NCS, training is the most neglected area. It is treated as only for promotion purposes rather than for performance in service delivery. In other words, training is not linked with jobs that should be performed by civil servants (Rayamajhi et al. 2012).

NEW PUBLIC MANAGEMENT AND CIVIL SERVICE MANAGEMENT IN NEPAL

In analysing the trends of civil service reform in Nepal, clearly, the reform attempts during Shah Period and Rana Regime were mainly focused on consolidating the regime and to meet vested interests. *Sawal* and *Ain* (Rules and Regulations) formulated during these periods promoted nepotism and favouritism in recruitment and promotion. An annual screening system similar to the ‘spoil system’ was in practice,¹² and the effectiveness and efficiency of civil service management were completely ignored.

Civil service management in Nepal is shifting from the spoil system to one that is merit-based. 1951–1963 is seen as the period of transition for this. When the PSC was instituted as a constitutional body and eventually institutionalized, there was fair and impartial selection of civil servants. The PSC was further institutionalized after the restoration of democracy in 1990. However, there are still problems in the promotion of civil servants. Nepotism and favouritism play significant roles for promotion and transfer despite the rules and regulations. Through the Civil Service Act of 1993 and its regulation in 1994, organizational chiefs were given the discretionary power to evaluate the performance of civil servants, and they have sometimes used it to favour particular civil

¹²By ‘spoil system’, what is meant is that public officials are selected on a political basis rather than on merit. It implies that patronage is at work and that the various individuals work to mutual material advantage.

servants. Such practices negatively impact the efficiency and effectiveness of the NCS. In light of NPM, the government decided to scratch classless civil servants and to contract out manual jobs. The objective of contracting out is to decrease government liabilities and increase the efficiency of service delivery. The government has also adopted the inclusive policy to make civil service more representative demographically. All such reform attempts are carried out in light of NPM. However, the government has achieved limited success.

CONTEMPORARY ISSUES AND DISCUSSION

There are many critical issues regarding the management of the NCS. Even though the service is guided in its operations by the Civil Service Act of 1993 (4th amendment) and its regulation of 1994, there are problems of limited inclusion, of managing civil servants in the newly formed local governments, of ineffective lateral entry into the NCS, unionism, and clientelism.

Limits of inclusion In 2007 an inclusion policy was adopted by the NCS with the view of making it more demographically representative for those who are socially, politically, and economically marginalized. Inclusive policy aims to create a more just society by ensuring the participation of women, ethnic communities, Madhesis, and the disabled.

Due to the inclusive policy, the selected quotas have been increasing, but the overall trend in recruitment has remained the same as before (UNDP 2014). More than 20,000 civil servants were recruited after the introduction of the inclusive policy during 2007–2016. Amongst them, 7000 were recruited under the inclusive provision. As a result, the composition of the NCS has changed. The study of MoGA (2017) found that the selected civil servants belonged to families with members who had been or were civil servants. The legal opportunity allocated for inclusion was thus being enjoyed by certain families in the name of disadvantaged groups, as these families were elites in their respective communities. Meanwhile, the real disadvantaged groups, on account of low literacy, were not in a position to compete in the PSC examinations. Brahmins, Chhetris, and Newars together with some ethnic groups were dominating the civil service due to family orientation and education, even if their population was relatively low. The performance of civil servants was marginally different between the inclusive and the open

category due to the lack of human resource development activities like training, empowerment, workshops, and orientation. Thus, the structure of civil service due to inclusive governance has changed but is still not entrenched in the targeted community. Awasthi and Adhikari (2012, p. 30) outline the reasons for limited inclusion in the NCS. First, the inclusion policy is still in the initial stage. Second, those civil servants who have been recruited have few career-development opportunities. Third, competent women and other categories outside the civil service are not attracted to apply for the high-level civil service positions through the lateral entry system as provided for in the legislation.

Managing civil servants in a federal structure Nepal formally gained a federal structure through the promulgation of its new Constitution in 2015. The Constitution of Nepal envisages three tiers of government: federal, provincial, and local. There are seven provinces and 744 local governments. The local governments have been formed after the local elections in 2017. As per the Constitution, the functions and responsibilities of agriculture, health, education, sports, drinking water, housing and settlement, road infrastructure and so forth have been devolved to the local government. On the one hand, civil servants working under the central government are in surplus because of the devolved power to the local governments. On the other hand, there is a shortage of employees to accomplish the devolved tasks of the local governments. The national government has therefore decided to move some central government employees to the local government level. According to the Civil Servant Adjustment Bill of 2017, a section officer will be the executive officer at the rural municipality. There will, of course, be subordinate staff, some of whom have already been members of Village Development Committees. In addition, service sector offices such as health post, schools, drinking water, and sanitation are under the rural municipality. An undersecretary will be the executive officer in a municipality, while a joint secretary will hold the comparable office in a metropolitan city. Eleven civil servants will be moved from the central government to each municipality. Furthermore, employees who, in the past, were members of local bodies will now be employees of both the municipality and the metropolitan city. Worth noting is that service-sector civil servants will also be merged in both the local and metropolitan municipalities. Civil servants themselves have argued against the adjustment bill, one reason being that a junior officer would not be the chief executive officer.

In reality, service-sector officers are more senior than the chief executive officer of a rural municipality. This kind of dispute does not exist in the metropolitan areas because they are headed by a joint secretary. This kind of moving around of personnel ('adjustment') also raises the question of accountability. Civil servants working at the local government level are required to be accountable to the local government as well as to the central government. As a result, such an arrangement can decrease the dedication and commitment of civil servants to their duties and responsibilities.

Ineffectiveness of the lateral entry system The aim of the lateral entry system is to inject creativity and innovation in the civil service. It has been in operation since 1993. Up to now, however, the provision is used mostly to recruit people who are already in the NCS, rather than competent persons from outside. This provision of lateral entry cannot attract the best candidates because the period of past service is not to be taken into account in the service period for the laterally entered post. Here it is worth recalling that the service period is a crucial factor for perks and benefits upon retirement.

Unionism In the NCS, a union for civil servants was introduced after the restoration of democracy in 1990. This happened through reformulation of the Civil Service Act in 1993, with the aim of safeguarding the rights of the civil servants. To begin with, civil servants who were below the non-gazetted I level could be members of the union. After the fourth amendment to the Act in 2007, gazetted III class officers can also join the union. Now civil service unions have been established according to political party lines. For example, the Nepal Civil Servant Association is aligned with the Nepal Communist Party (UML), the Nepal Civil Servant Union with the Nepali Congress and the Nepal National Employees Association is tied to the Nepal Communist Party Maoist (Centre). Even if there is only one formal union for civil servants, there are dozens of civil service unions for the major and fringe political parties. It is worth asking what kind of role is being played by so many civil service unions in Nepal. In fact, their general role is to support their mother party, and their more particular role is to transfer members to lucrative offices—this instead of raising issues related to the rights and duties of the civil servants. Their main function is thus to indulge in politics for sake of civil servants' transfer, rather than to work for the

rights of government employees. When a certain political party comes to power, the activities of the party-affiliated union increase to support the other party. One group of civil servants feels it is the winner, and the others feel they are losers. Nepal (2012) outlines that ‘purse-merit’ is the main requirement for transfer from one ministry to another. Thus, the experience of unions in civil service has been most bitter.

Clientelism The term ‘clientelism’ generally denotes the exchange of material rewards (i.e., state jobs, contracts and service for political support, and private gain). Politicians or, more often, a government minister acts as the patron and the civil servants as a broker. Civil servants mediate between politicians and businessmen or contractors. Cadres of political parties fuel the process by arranging the setting between politicians and businessmen. Eventually, this leads to the misuse of public resources for private gain. Adhikari (2013, p. ii) argues that the forms of patron–client relations—patrimonialism, clientelism, opaque procurement, rent-seeking behaviour, and pork barrelling—have more impact on civil service governance in Nepal than anything else. They foster corruption, result in unfair practices, distort the delivery of public services, and reverse the improvement of civil service governance.

CONCLUSION

The structure of civil service in Nepal has been gradually changing. The number of civil servants has also increased with the increase in population. The ratio between the public and civil servants has thus remained largely the same: about 350 citizens per civil servant. There was no clear demarcation between civilian and military personnel during the Shah Regime (1768–1846) and the Rana Regime (1846–1951). During the Rana Regime, higher officials were either members of the Rana family or from families who were close to them. The Rana administration adopted the spoil system. After the introduction of democracy in 1951, the government tried to adopt the merit system, but the spoil system remained dominant: those favoured by the political elites were promoted at the expense of good performers. This practice continued during the early days of the Panchayat Period (1962–1990). However, rules and regulations of civil service were formulated, and gradually merit-based recruitment was introduced.

During the latter part of the Panchayat period and even after 1990, the recruitment of civil servants was carried out through open competition and completely merit-based. Promotion was based on performance evaluation, internal competition, and seniority. However, while the criteria for promotion have changed frequently, the importance of seniority has remained unchanged. Still, more weight was given to educational qualifications during the Panchayat period. This emphasis has actually decreased during the democratic period, as less importance is placed on training. Research output was also a criterion for promotion during the Panchayat period, but it has now been scrapped. Performance evaluation was based on personality, quality, and rewards. It was eventually linked with personal attributes required to make good decisions. An interesting point was that physical fitness was also a factor for promotion during the Panchayat period, but it was abandoned after 1978.

Pay commissions were constituted from time to time to revise the pay scale of civil servants and the salary ratio of the upper and lower limit. The gap between the upper and lower pay scales has thus narrowed. The pay commissions have suggested that civil servants' salaries should be adequate to maintain the living standards. In addition to the salary, civil servants have been receiving other motivational benefits in return for their services. These include retirement pensions, gratuity, provident funds, survivor benefits, and the like.

Training for civil servants has been emphasized since 1951, but it has not been given due attention in civil service until now. The training policies of 1989, 2001, 2007, and 2014 were formulated to provide training to all civil servants. This training, however, is not linked with job performance; it is considered only as a means for qualifying for promotion.

Recent reform attempts include contracting out manual jobs, introducing lateral entry into the civil service, introducing an objectively specified promotion system and a quota system, and offering training for all employees. These reforms are meant to impart efficiency and effectiveness in the NCS. The reforms from 1990 and onwards have been in line with NPM principles. The results are mixed: while there has been partial success in contracting out manual jobs, the lateral entry initiative has been ineffective. Nepotism and favouritism in the promotion and transfer of civil servants have continued. There has been limited success in including underprivileged groups through the quota system, and so also in curbing clientelism in official business. The manipulation of rules and

regulations by civil servants is pervasive and often linked to corruption. The noteworthy point is that the organizational objective is not achieved in the NCS, even if the performance of civil servants is legally correct. Complexities and rigidity are growing in official business. Therefore, the efficiency and effectiveness of the civil service remains questionable even if reforms have been made in line with NPM.

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CHAPTER 6

The Promise of Representative Bureaucracy and Citizen's Trust in the Civil Service in Nepal

Ishtiaq Jamil

INTRODUCTION

Representative bureaucracy is a central concept in public administration and denotes a bureaucracy that represents the society's actual demographic composition and actively advocates for different interests among the populace. An absence of representativeness makes bureaucracy elitist and compromises neutral decision-making (Meier and Capers 2014, p. 370). The nature and composition of bureaucracy comes into question especially when the gap widens between bureaucratic decisions and society's interests. Citizens consequently lose confidence in public institutions, especially in the bureaucracy (Krislov 2012). The issue of representativeness is central here because it is likely to enhance legitimacy. According to Suchman (1995, p. 575), people perceive a "legitimate

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organization not only as more worthy, but also as more meaningful, more predictable, and more trustworthy”.

The major goal of representativeness is to make bureaucracy more democratic and inclusive. Its legitimacy depends on how well it responds to community or societal needs and expectations. Being a legitimate organization means that the given organization is characterized by qualities that are credible, reasonable, valued, and accepted in society. These may be neutrality and fairness in how decisions are made, efficiency and skill in providing services, easily accessible public officials, a transparent way of producing public services, bureaucrats who are helpful, friendly to citizens, and ethical, and a bureaucracy whose actions are standardized and predictable (Kim 2005). In other words, a public organization’s legitimacy is measured according to the trustworthiness of its personnel. As Rothstein (2005, p. 131) points out, what makes an institution credible is the extent to which civil servants “live up to the ethical norms such as objectivity, impartiality, and equality before the law”.

This article has two objectives. First, it analyzes the extent to which Nepal’s civil service has become more representative in terms of the country’s demographic composition after it adopted and implemented inclusive policies. Second, it examines the extent to which citizens consider civil servants trustworthy. The hypothesis of the paper is that increased representation has enhanced citizens’ confidence in the civil service and increased their perception of civil servants’ trustworthiness. So is it the case that increased bureaucratic representation enhances citizens’ confidence in a bureaucracy?

REPRESENTATIVE BUREAUCRACY AND TRUSTWORTHINESS: IS THERE A LINK?

This paper investigates linkages between bureaucratic representativeness and institutional trust. This linkage is under-investigated; hence this paper contributes to this literature gap.

The theory of representative bureaucracy first appeared in J. Donald Kingsley’s writings (Kingsley 1944; Lim 2006, p. 194; Sowa and Selden 2003, p. 701; Subramaniam 1967, p. 1010). He and other theorists have explored the question of whether a given public workforce (i.e., a civil service) reflects the social-class composition of the people it serves (Peters et al. 2013, p. 1). The importance of this question is predicated

on the belief that promoting representativeness in bureaucracy ensures that diverse communities in the population and their preferences are given due share in policymaking processes (Naff and Crum 2000, p. 98; Smith and Monaghan 2013, p. 51). The meaning of the concept of representative bureaucracy, however, has expanded to incorporate other demographic categories such as gender, religion, ethnicity, race, disadvantaged groups, and backward areas.

The question is whether a given representative bureaucracy is really representative and responsive to its citizens. Since bureaucratic organizations are merit-based professional organizations, they are not representative in the same manner as political organizations such as a parliament. Do bureaucrats become champions of the groups they represent? Or is bureaucratic representation path dependent, for instance, that once bureaucrats are inducted into the public service, they are socialized into dominant values and internalize those values that have been historically developed? Does more demographic representation enhance the trustworthiness of bureaucracy? Furthermore, what about the situation in developing countries that have the habit of staffing public offices with people from society's higher echelons? After these countries adopt and implement inclusive policies, do their public officials become more democratic in making decisions and more impartial in dealing with citizens, or do their actions remain elitist despite the new policies? In the case of the Nepalese civil service, *Chakari and Chaplusi* (flattering and pleasing the boss in order to obtain certain benefits from the system) are widespread. So also is *afno manchhe* (partiality towards one's own people) (Bista 1991; Shrestha 1980). These administrative cultural values discriminate between people on the basis of family, kinship, caste, and social relations; they influence decision-making in the civil service and hence cause the delivery of public services to be carried out in an informal and partial manner (Jamil and Dangal 2009, p. 197).

If more representativeness makes bureaucracy more trustworthy in terms of policy responsiveness, then it is worth asking citizens to what extent they perceive their public officials to be reliable, honest, friendly, and impartial. An increase in citizens' trust in public institutions would indicate that these institutions are acting and performing according to normative roles and expectations. For example, the engendered trust in the civil service denotes increased legitimacy of this institution among citizens. There would, therefore, be reciprocity between responsive public policies and trust in public institutions.

THE IMPORTANCE OF TRUST AND TRUSTWORTHINESS

In a representative democracy, public office holders act and make decisions on behalf of citizens in a universal, impartial, and standardized manner that meets and fulfills citizens' demands and needs. It is claimed that high trust in public institutions helps ensure good governance and the successful implementation of policies (Kim 2005, p. 611; Van de Walle and Six 2013, p. 3). Conversely, "low trust is seen as an indicator that the government must be doing something wrong or that public services do not deliver, and is a reason for worry because low trust is seen to be associated with a decrease in civic behavior and undesirable voting behavior" (e.g., Nye et al. 1997, cited in Van de Walle and Six 2013). Less trust "reduces legitimacy of the state, raises transaction cost, and complicates the process of governing" (Hutchison and Johnson 2011; Pierre and Rothstein 2011, p. 405). Furthermore (Askvik et al. 2011, p. 2) argue that a well-functioning democratic system is built on citizens' trust. In short, a highly representative bureaucracy is more democratic than a bureaucracy that represents a particular class or social group (Bendix, cited in Lægveid and Olsen 1978, p. 13).

In the literature on institutional trust, two major perspectives explain trust (Mishler and Rose 2001). The first is society-centered perspective widely referred to as "social capital" which is mainly measured through the degree of civic engagement and generalized trust with the argument that long-term organized social interaction fosters social capital, particularly understood as generalized trust in a society. Increased social capital, in turn, affects institutional performance and trust in public institutions (Putnam 1993, 2001; Newton and Norris 2000; Fukuyama 2001; Rothstein and Stolle 2008). The second called the institution-centered perspective stems from the *quality of government* hypothesis of Rothstein and Teorell (2008, p. 167), who argue that good governance, which denotes "trustworthy, reliable, impartial, uncorrupted and competent government institutions" (<http://www.qog.pol.gu.se/>, accessed 9 September 2014), has a substantial effect on a number of social phenomena including citizens' support for government.

Associated with the quality of government hypothesis, political trust hypothesis is also relevant which argues to what extent public institutions and the actors within this act on behalf of the people. Low level of trust reduces citizens' compliance with laws and regulations and

may increase the risk of violent means to express their dissatisfactions (De Juan and Pierskalla 2016, p. 69). Political trust is defined as the ratio of citizens' evaluation of public institutions on the basis of their expectations (Hetherington and Husser 2012, p. 313). Responsiveness is ensured when public institutions provide improved services. In addition, addressing wicked problems such as unemployment, drug trafficking, as well as managing disaster, epidemics, etc. enhance trust in institutions. Therefore, policy performance of public institutions and to what extent these respond to citizen's needs is the key to trust generation.

Both the social capital and political trust hypotheses are analyzed in this paper. Social capital is measured by the level of generalized trust in society and civic associationism while political trust is measured by citizens' assessment of policy performance, i.e. public services.

Our dependent variable is trustworthiness of civil servants as assessed by citizens. Kim (2005, pp. 622–627) assesses trustworthiness according to five features that bureaucracy must possess in order to gain citizens' confidence: (a) *Credible commitment* refers to honoring agreements by sticking to what has been agreed upon. In this regard, consistent behavior and maintaining professional standards are important. (b) *Benevolence* denotes displaying genuine care and concern for citizens. (c) *Honesty* is a virtue that strongly affects trust. When citizens perceive that bureaucrats are not corrupt and do not resort to fraudulent practices, they tend to trust more. (d) *Competence* refers to the possession of required skills and knowledge in the production and delivery of services. (e) *Fairness* is ensured when citizens are treated equally and public decisions are neutral.

In line with Kim's operationalization of trust in bureaucracy, we include the following variables (dependent variables in this study) to measure the trustworthiness of Nepalese bureaucrats: (a) promptness and efficiency, (b) corruption, (c) serve their own personal interests rather than those of citizens, (d) helpful, (e) friendly, (f) difficult to gain access to, (g) reliable, and (h) neutral and treat everyone equally.

Much published research on representative bureaucracy links active representativeness with positive policy outcomes. Yet there are both promising and challenging aspects to representative bureaucracy. Evidence from the education sector in the USA suggests that the increased inclusion of non-white teachers with African and Latino backgrounds has enhanced the performance of non-white students (Sowa and

Selden 2003, p. 702). Research also shows that the increased inclusion of bureaucrats with minority backgrounds or who are women results in positive benefits for certain groups (Lim 2006, p. 193). Similarly, in those public organizations where women and/or minorities are increasingly engaged in decision-making processes, the outcomes of decisions are more likely to accord with the interests of women and/or minorities than are the decisions of similar organizations with fewer women and/or minorities (Bradbury and Kellough 2011, p. 160). Furthermore, in studying the impact of bureaucrats' region of residence on their active representation of citizens' interests, it was found that in the USA's southern states, in cases where Afro-American bureaucrats were representing citizens who shared their own racial background, they were more likely to produce positive benefits for their clients than did non-Afro-American bureaucrats who served Afro-American clients (Grissom et al. 2009, p. 911). This paper tries to analyze the linkage between active representation and trust generation in the context of Nepal—a developing country with a long tradition of allowing elites to dominate bureaucracy.

The assertion of this paper is that active representation is important and necessary, but equally important is that civil servants gain legitimacy on the basis of being trustworthy; citizens consider the civil service trustworthy and credible when it works on their behalf. Therefore, in the context of Nepal, to understand to what extent active representation has taken place and to what extent bureaucratic decisions reflect citizens' welfare, the common good, and diverse interests, it is important to know how the Nepalese citizens reciprocate and assess the bureaucracy. A positive assessment indicates that citizens have higher confidence in the civil service. Mapping citizens' trust is, therefore, a relevant indicator when measuring the legitimacy of such institutions and crucial for any system of public administration (Rothstein 2014, p. 359).

The two variables of representativeness and trustworthiness are presented in Table 6.1. We expect that the more a bureaucracy is representative the more it will gain citizens' trust. There will, therefore, be a transition from situation 1 (low representativeness and less trustworthiness) to situation 4 (high representativeness and more trustworthiness), as shown in Table 6.1.

In addition to the above, we may also observe Situations 2 and 3. Situation 2—low representativeness but high trustworthiness—is when a bureaucracy displays high professional norms and standards and their recruitment is based on merit. This type of bureaucracy is more

Table 6.1 Hypothesized relationship between bureaucratic representativeness and trustworthiness of civil servants in Nepal

	Trustworthiness in Bureaucracy	
Representativeness	Less	More
Low	1	2
High	3	4

performance or result oriented than process oriented. The East Asian bureaucracies of Hong Kong, Korea, and Taiwan might exemplify a performance orientation where administrative practices are inspired by the principles of New Public Management that are geared towards strengthening corporate governance in combination with competition (Cheung 2005, p. 259; 2012, p. 212). Situation 3 is when bureaucracy is high in representativeness but low in trust. It is found in certain South Asian nations that have increased the passive representativeness of bureaucracy in recent decades, yet without achieving a corresponding increase in citizens' trust in bureaucracy. This may be because the administrative culture in the civil service is still more patron-clientelistic and therefore bureaucratic decisions are more biased, unfair, and unfriendly making it more unrepresentative (Jamil et al. 2013, pp. 17–19).

WHY DO CITIZENS' TRUST AND REPRESENTATIVE BUREAUCRACY MATTER FOR GOOD GOVERNANCE IN NEPAL?

Nepal is a “landlocked Himalayan country of 27 million people who speak 123 languages from four major language groups, are divided into 125 ethnic and caste groups, and follow half a dozen religions” (Lawoti 2014, p. 131; Gellner 2007, p. 1826; Hangen 2007; Dahal 1995, p. 149). Nepal has experienced a number of political developments in the last decade: the Maoists have ceased their armed struggle; mass protests paralyzing the country have somewhat ceased (even though in the second half of 2015 and also in the last few months mass protests have led

to a number of deaths); the major political parties have reached some kind of consensus for a peaceful transition to democracy and inclusive governance; the king has been dethroned; along with this end of monarchism, the country's official Hindu status has been revoked in 2006—it is now a secular state; Nepal has become a republic in 2008 and has held elections thrice (2008 and 2013) for the 601-member Constituent Assembly, and the last election held in 2017 to elect the 275 members to *Protinidhi Sabha* (House of Representatives). In the “new” Nepal and under pressure from the Maoists and other marginalized groups, the state has become multi-ethnic and opened the possibility for more power-sharing (Lawoti 2014, pp. 133–134). However, in this country with huge variations, the challenges to democracy and inclusive governance remain daunting; this is also because of the fact that the new Constitution of 2015 has taken away some rights awarded to marginalized groups in the interim Constitution of 2007.

In 2007 Nepal adopted a policy for increasing the representativeness of different sections of the civil service.¹ The Civil Service Act of 1991 (2nd Amendment)² was promulgated to create a civil service that would include more women, Adibasis and Janajatis,³ Dalits,⁴ Madhesis,⁵ physically challenged people, and people from backward areas. As stated, Nepal has been a Hindu kingdom, and most civil service positions, especially the top ones, have traditionally been occupied by upper caste Hindus such as Bahuns⁶ and Chhetris. The new act is supposed to make the bureaucracy more democratic by making it representative of the country's ethnic, linguistic, religious, and caste diversities. Background conditions for adopting the policy took shape in the mid-2000s. The king was forced to relinquish power in 2005, amidst unrest triggered by the Maoist movement and *Janoandolan* (mass

¹In 2003 also, the royal government initiated limited reservation to indigenous nationalities, Dalits, and women as a way of co-opting these groups in the government.

²This type of policy is referred to as affirmative action, a quota system, positive discrimination, or reserved recruitment.

³Indigenous nationalities.

⁴Traditionally considered as untouchables.

⁵People from the Southern region bordering India called TeraiMadhesis who share culture and language with people from North India.

⁶Nepali Brahmins include those who live in the Hill regions called Bahun and the plain land Brahmins who live in Terai in the south called Madhesi. It is the Bahuns who dominate the civil service (Brown 1995, p. 2).

movement), and eventually a consensus among all parties including the Maoists was reached (Hangen 2007). Monarchism was abolished and the country became a republic in 2008. Since then, the issue of representative bureaucracy has been at the top of the policy agenda. In 2007 the Constituent Assembly adopted this new policy by amending the Civil Service Act of 1991.

According to this amended act, recruitment to all civil service positions will be based on open competition for 55% of the posts. The remaining 45% will be recruited through the quota system. Among this 45%, 33% of posts are reserved for women, 27% for the Adibasi-janajatis (indigenous nationalities), 22% for Madhesi, 9% for those traditionally called untouchables, 5% for disabled, and the remaining 4% for backward areas. In order to assess the success of the act, a provision has been made to review its impact over a period of ten years. The act also raises the entry age for women to the civil service to 40 years old, while the age at which men can enter the civil service is 35.

The structure and composition of Nepal's civil service is of a generalist nature. The centralized recruiting agency—called the Public Service Commission (PSC)—recruits young candidates through open advertisements. Once recruitment is completed, the new civil servants are placed at the Ministry of General Administration and thereafter sent to different ministries on the basis of services for which they were recruited. There are altogether around 25 ministries divided between technical and non-technical services. During recruitment, the candidates may apply for the gazetted and non-gazetted posts.⁷ Gazetted posts are often referred to as “cadre” posts; persons occupying these posts start at the section officer level and are gradually promoted upward in the hierarchy to undersecretary, joint secretary and finally to the secretary level. A secretary is the administrative head of a ministry and plays an important role in policymaking and policy implementation. Aside from a few exceptions of lateral entry, all Nepalese civil servants attain their positions through vertical mobility.

⁷Nepal Civil Service Act of 1956 grouped government employees into gazetted and non-gazetted posts. Gazetted posts refers to all posts advertised by government notification in the *Raj Patra*, the government gazette.

GENDER, CASTE, AND ETHNIC INCLUSION IN NEPAL

The Gender and Social Exclusion Assessment (GSEA) report titled “Unequal Citizens: Gender, Caste, and Ethnic Inclusion in Nepal”, which was sponsored by the World Bank and the Department for International Development (DFID), claims that “gender, caste and ethnicity as three interlocking institutions in Nepal that determine individual and group access to assets, capabilities and voice based on socially-defined identity” (2006, p. 4). The report also mentions that inclusive governance in Nepal is a much discussed and debated topic and is highly desired in contemporary politics. To attain more inclusion requires “fundamental shifts not only in the structure of governance and access to economic opportunity but also in the underlying hierarchical norms, values and behaviors that govern social interaction” (ibid.).

Nepal has been under feudal and authoritarian rule for more than 200 years and since Hindu religious and caste values have been practiced strictly and widely, this has resulted in lower castes and non-Hindu groups being marginalized and impoverished. In Nepal, everyone knows what caste and ethnic groups one belongs to. It is taken for granted fact of life that everyone has a caste or ethnic identity (Gellner 2007, p. 1823). Political parties who advocate for neutrality and more representation are dominated by Hill-Hindus and influenced by Hill-Hindu culture. Their presence and domination are well marked in bureaucracy, political parties, and civil society (Lawoti 2014, p. 142).

The Nepalese Constitution of 1990 established multi-party democracy and recognized the rights and privileges of all religions, ethnic groups, and women. But it was also ambiguous and contradictory because it declared Nepal a Hindu state that would maintain and preserve all traditional practices. Women were barred from passing on their citizenship to their children. As such, the gendered, linguistic, religious—and ethnically based discrimination and marginalization have continued.

Despite the abolition of caste-based discrimination in 1963, hierarchies in the caste system are integral to the Hindu religion. The ethos of religious and cultural values is still important in everyday life, influencing relationships between castes, religious and ethnic groups, men and women, juniors and seniors, rich and poor, and between rural and urban people. Historically, caste or *Jat* has been a decisive factor for one’s status in the social hierarchy as well as for the choice of profession. One is born into a context, and mobility between castes is impossible.

Accordingly, higher social functions, for instance, the performance of religious rituals, has been reserved for upper caste people—the ‘*Brahmins (Bahun)*. Political and administrative positions have been reserved for the next ranking caste—the *Chetris* or the warrior caste. Below them is the caste of merchant called *Vaishaya*. Menial work and craft-related occupations are traditionally specified for people with lower ranks in the caste system—called *Sudra*. During the Rana era, Kathmandu-based Bahuns and Newars (an indigenous community) monopolized bureaucracy and marginalized other ethnic and caste-based communities (Riaz and Basu 2010, p. 104).

Political and administrative elites (even in the Maoist movement, most leaders are from the higher caste) belong to the upper caste; hence the formulation and implementation of inclusive policies have seldom been entertained, despite provisions for consulting with the less advantaged groups. To illustrate: there are provisions in Nepalese law stating that Dalits and other socially excluded groups should be allowed to contribute to the formation of government policies regarding education, rural roads, health, and forestry, but as Sigdel and Sharma (2013, p. 2) have found, “these have not been effectively implemented so far”. The “most disadvantaged and excluded groups have been women, Dalits, indigenous ethnic groups, Muslims, Madhesis, indigenous nationalities and those people who are living in remote areas” (ibid.). These people consequently remain politically underrepresented. Because they cannot take advantage of development opportunities, they remain in poverty. Women of course cut across all groups. Despite constituting half of the population and contributing to 60% of agricultural outputs, they only own 8% of land.

Nepal’s bureaucracy has traditionally been dominated by Hindu Bahuns,⁸ and the caste still has hegemony over top bureaucratic positions. Policies on inclusive governance in Nepal have been formulated by higher caste people who have not adequately consulted with those the policies are meant to serve.

It is therefore interesting to analyze whether policies meant to foster more bureaucratic representativeness have really created a significant

⁸They have more motivation to pursue higher studies and only candidates with bachelor and master degrees are allowed to compete in the gazette posts. On the other hand, low caste Hindus such as Dalits and other indigenous nationalities lack required qualification to sit for the entrance exam to the civil service.

Table 6.2 Questionnaire surveys in 2008 and 2014 and sample size

	<i>Nepal</i>
Year of survey	2008 and 2014 ^a
<i>Sample size</i> (no. of respondents)	
-1st Wave	1836
-2nd Wave	2404
<i>Selection of sample</i>	
-1st Wave	-Ecological regions, district, Village Development Committee (VDC)
-2nd Wave	-Voter list, ecological region, district, VDC (20% of constituencies—48 constituencies were included in the sample of a total of 240. One polling station was randomly selected from selected samples. Thereafter 50 voters were selected according to systematic sampling from each selected polling.)

^aThe sample size in both waves of surveys was representative in terms of gender and religion, but not fully representative in terms of education as people with no education (illiterates) were hard to get access to respond to the survey. Also, people were reluctant to reveal their caste identities and as such, the question on caste identity was dropped in the 2014 survey

dent in the existing bureaucratic composition and structure and whether the increased representativeness matches the demographic composition of the country.

METHOD OF INQUIRY

The study used two types of data—perceptual and factual—derived from two sources. The perception data are derived from surveys on citizens' trust in public institutions in Nepal. These surveys were conducted in two “waves”, 2008 and 2014,⁹ and similar questionnaires were used both times. The surveys map citizens' trust in the civil service as an organization and in civil servants as individuals, that is, to what extent they are competent, friendly, impartial, and honest. Table 6.2 summarizes the method of enquiry.

⁹The data on citizens' trust in public and political institutions are collected in connection with the project Policy and Governance Studies (PGS): Regional Master and PhD Programs under the NORHED Program. The project is financed by the Norwegian Agency for Development Cooperation (NORAD).

In addition to our own data, the Nepalese PSC (the constitutional body responsible for recruiting civil servants by holding competitive exams) provides factual data for two periods, 2000–2001 and 2010–2011,¹⁰ on the number of civil servants in Nepal and how their recruitment compares with the country’s demographic composition. The data from 2000–2001 to 2010–2011 demonstrate the demographic composition of bureaucracy in this new millennium, and the present scenario in terms of bureaucratic representativeness. The time gap of a decade reveals the scenario of bureaucratic representation and to what extent there have been changes in the representation, that is, whether the bureaucracy has become more representative.

DATA ANALYSIS: THE SCENARIO OF BUREAUCRATIC REPRESENTATIVENESS AND TRUSTWORTHINESS OF BUREAUCRACY

We first present some descriptive statistics to the implementation of the policy and to what extent the civil service in Nepal has become representative. Second, we carry out some cross-tabulations to see whether citizens’ confidence in the civil service have increased over the years.

Findings from Table 6.3 reveal interesting changes in the bureaucracy’s demographic composition. As regards gender, more women were recruited in 2010–2011 than in 2000–2001. There is a decrease in the percentage of Brahmins (Bahuns) in the newly-recruited, gazetted civil servants, from 76% in 2000–2001 to 56% in 2010–2011. However, since Brahmins (Bahuns) constitute only 13% of the population, they can still be said to overwhelmingly dominate the civil service since their entry-level recruitment is four times their total population. But in the same period, there has been an increase in the recruitment of Dalit, indigenous nationalities, and Madhesi. There has also been significant change in the occupations of bureaucrats’ fathers, from mainly being farmers to other occupations such as civil service, teaching, and belonging to other professions (in NGOs, business, etc.). As regards development regions, the central region where the capital Kathmandu is located has increased its representation in the civil service. This indicates that new civil servants come more often from urban areas. The trend is also observed from

¹⁰The data on civil servants were only available in three time periods 2000–2001, 2010–2011 and 2014 (for the higher civil servants).

Table 6.3 Composition of bureaucrats (gazetted posts) recruited in the periods 2000–2001, and 2010–2011 on the basis of gender, religion, caste, parental occupation, and development regions

	2000–2001	2010–2011	Percentage of population (Census 2011)
Gender			
-Male	95	77	48.5
-Female	5	23	51.5
Religion			
-Hindu	99	97	81
-Buddhist	0	1	9
-Others ^a	1	2	10
Caste/Ethnicity			
-Brahmin (Bahun)	76	56	13
-Chhetri	18	14	17
-Dalit	1	5	14
-Janajati/Adibasi (indigenous nationalities)	na	15 ^b	36
-Madhesi	na	8	2
-Others	5	2	
Development regions			
-Eastern	31	25	22
-Central	14	24	36
-Western	31	34	19
-Mid-Western	16	12	13
-Far-Western	8	5	10
Parental occupation			
-Agriculture	99	68	60
-Civil service	1	10	na
-Teaching (Public/private)	0	9	na
-Others (NGOs, business)	0	13	40 ^c
	100	100	100
	<i>N</i> =727	<i>N</i> =471	Approx. 27 million

na Data not available

Source Public Service Commission of Nepal; Department of Civil Personnel Record, Ministry of General Administration (DOCPR 2014); Population Census of 2011, Central Bureau of Statistics, Nepal

^aIncludes others religions—Muslims, Kirat

^bA large part of this may be Kathmandu based Newars who traditionally are represented strongly in the civil service

^cThis includes all other professions as well (civil servants, teaching, etc.)

Table 6.4 Percent distribution of civil servants recruited under the reservation/quota policy in the period 2010–2011

<i>Inclusive groups</i>	<i>Percent distribution</i>	<i>Reserved quota as specified in the Act (%)</i>
Women	33.5	33
Indigenous nationalities	26.5	27
Madhesi	20	22
Dalit	10	9
People with disability	5	5
People from backward areas	5	4
	100	100
	<i>N</i> =200	

Source Public Service Commission of Nepal, Department of Civil Personnel Record, Ministry of General Administration (DOCPR 2014)

their fathers' occupations, since one-third of new civil servants come from non-farming families. However, despite demographic changes, we still observe that almost all civil servants are Hindus. Other religious groups such as Buddhists and Muslims are underrepresented. One major reason for the domination of upper caste Hindus, namely the Brahmins (Bahuns) is the way civil service examinations are held. It is conducted in Nepali language which is the mother tongue of most high caste Hindus and who attended *Sanskrit* schools, colleges, and universities (Brown 1995). This gives upper caste Hindus a competitive advantage over other indigenous nationalities whose mother tongue is not Nepali and did not have opportunity to attend *Sanskrit* institutions. Other reason often cited is low level of education among indigenous nationalities (not Newar) when compared with high caste Hindus.

Table 6.3 reveals that the Civil Service Act of 1991 (2nd Amendment), which was adopted in 2007, seems to be widening the representation of Nepalese civil servants in terms of mainly gender, regional, and urban representation, but not in terms of religious representation. Table 6.4 reveals to what extent the policy of 45% reserved recruitment of civil servants in 2010–2011 was distributed among women, indigenous nationalities, Madhesi, Dalits, the physically challenged, and people from backward areas. Among 471 civil servants recruited in this period in gazetted posts, 200 were reserved for the inclusion of different groups—around 45% of the total civil servants recruited.

Table 6.4 reveals that the provisions of the Act have been followed strictly and that the quotas for different groups as specified in the Act were abided by in order to enhance bureaucratic representativeness.

The intriguing question here is what percentage mainly among the women, indigenous nationalities, and people with disability and from backward areas belong to the upper caste, i.e. Brahmins and Chhetris, and among Newars who are the most advanced among indigenous nationalities in terms of education and economic abilities. It would be interesting to investigate who among these different groups really get selected at the entry level. Are people with higher caste backgrounds dominating the recruitment to the civil service? Also the competent among the marginalized groups such as indigenous nationalities, Dalit and Madhesi compete within their own groups and not in the open quota which is 55%.

Therefore, another pertinent question is simply this—how many years will it take to make the Nepalese civil service to be highly or fully representative of the demographic composition? After all, the representation policy mainly applies to the entry level. The answer, of course, depends on the present scenario of total bureaucrats and how they are distributed according to gender, ethnicity, religion, and so forth. If there is no active policy targeting the marginalized and disadvantaged groups such as indigenous nationalities, Dalit and Madhesi, these groups will remain disproportionately underrepresented in the civil service and the passive affirmative policy in operation now may further marginalize these groups.

The following table presents data on the total number of bureaucrats in the gazetted posts of undersecretary, joint secretary and secretary (Top three positions in the civil service).

As Table 6.5 reveals, a typical bureaucrat in the higher echelon in Nepal in 2014 is a male, high caste Hindu (Brahmin/Bahun or Chhetri) who comes from either the Central or the Western region. Brahmins/Bahuns and Chhetris comprise 30% of the total population but occupy around 85% of key policymaking positions in the civil service. The most neglected group is the Dalit and Muslims. They constitute around 20% of the population but their representation in the civil service in policymaking positions is negligible. Furthermore, the people living in Mid-Western and Far-Western development regions constitute around 23% of the population but have only about 10% of the decision-making posts. It could, therefore, take many years for Nepal's civil service to be fully representative in terms of gender, caste, religion, and regions.

Table 6.5 Bureaucratic representation in the undersecretary, joint secretary, and secretary level positions in 2014. Percent distribution. $N=3805$

	<i>Secretary</i>	<i>Joint secretary</i>	<i>Undersecretary</i>
Gender			
-Male	97	94	95
-Female	3	6	5
Caste/Ethnicity			
-Brahmin (Bahun)	65	68	66
-Chhetri	20	17	20
-Indigenous nationalities	–	2	1
-Dalit	15	13	13
-Others (Muslim)	–	0.4	0.4
Development regions			
-Eastern	18	19	23
-Central	42	39	34
-Western	29	36	34
-Mid-Western	8	3	5
-Far-Western	3	3	4
Total	100	100	100
	$N=65$	$N=458$	$N=3282$

Source same as Table 6.4

This group may be dominated by Newar who constitute around 5% of the population but is overrepresented in the bureaucracy while other indigenous nationalities may be highly underrepresented

Along with representation, our concern is to analyze the extent to which the Nepalese civil service is a trusted and credible institution and how its personnel are assessed by the citizens. Citizens' positive evaluation of civil servants is an indication that the civil service is fulfilling its role and acting according to normative expectations, that it is responsive, friendly and neutral in dealing with citizens. In Table 6.6, we present citizens' assessment of civil servants' trustworthiness. The data from 2008 reflect the trust scenario at the time when the Act was promulgated, and the data from 2014 reflect contemporary scenario.

Despite civil servants being assessed somewhat more positively in 2014 than they were in 2008, the results cannot be interpreted as positive. In both time periods, citizens see civil servants as *less prompt and efficient, corrupt, usually serve their personal interests rather than that of citizens, not helpful, unfriendly, difficult to get access to, unreliable, and not neutral*.


Table 6.6 Trustworthiness of civil servants as perceived by citizens in 2008 (N = 1836) and 2014 (N = 2404). Percent distribution

<i>Civil servants (are)</i>	<i>Strongly agree + Quite agree</i>	<i>Quite disagree + Disagree completely</i>	<i>Don't know</i>	<i>N</i>
<i>Prompt and efficient</i>				
-2008	34	55	11	100
-2014	39	53	8	100
<i>Corrupt</i>				
-2008	60	31	9	100
-2014	66	29	5	100
<i>Serve their personal interests rather than that of citizens</i>				
-2008	78	18	4	100
-2014	74	22	4	100
<i>Not helpful</i>				
-2008	43	50	8	100
-2014	56	38	6	100
<i>Friendly</i>				
-2008	34	57	9	100
-2014	41	55	4	100
<i>Difficult to get access to</i>				
-2008	61	32	7	100
-2014	63	34	3	100
<i>Reliable</i>				
-2008	22	69	9	100
-2014	33	63	4	100
<i>Neutral and treat all equally</i>				
-2008	19	72	9	100
-2014	27	68	5	100
<i>TRUSTWORTHY (Index)</i>	<i>Year Mean</i>			
	2008 2.17			
	2014 2.23			

Source Author's own analysis from Trust Survey data

The question: I am now reading a number of statements on civil servants and public services. On a four-point scale, to what extent do you 4 "Strongly agree", 3 "quite agree", 2 "quite disagree" or 1 "disagree completely" with these statements?

Table 6.7 The current status of the relationship between bureaucratic representativeness and trustworthiness of civil servants in Nepal

Representativeness	Trustworthiness in Bureaucracy	
	Less	More
Low	1 	2
High	3	4

The mean value of the index trustworthiness variable, which is created by adding all variables together, also shows that citizens have a negative image of civil servants in both time periods. On a scale from 1 (“completely disagree”) to 4 (“completely agree”), mean values of 2.17 in 2008 and 2.23 in 2014 are below the average score of 2.5. Despite some changes in representativeness, the trustworthiness of civil servants is low. They are evaluated negatively in 2008, which is the year after adoption of the Act, and they were also assessed negatively in 2014.

In terms of representativeness and trustworthiness, we observe findings that falsify our hypothesis. While the representativeness of Nepalese bureaucracy seems to be increasing somewhat (still overwhelmingly dominated by Brahmin (Bahun)-Chettri), as found in Tables 6.3 and 6.4, trust in civil servants has not increased in a corresponding way in the periods 2008 and 2014. Table 6.7 presents the current relation between representativeness and trustworthiness.

Table 6.7’s category “less trustworthiness in bureaucracy” shows an increase, which means that the perception of trustworthiness has actually decreased. Thus, while Nepalese bureaucracy has complied somewhat with affirmative action policies and apparently is becoming slightly more representative in terms of mainly gender and regional representation though not fully in terms of ethnic and caste compositions, it has not become more attractive to citizens. In terms of trustworthiness, it is negatively evaluated in both 2008 and 2014, though in five (prompt and efficient, friendly, reliable, neutral, and do not serve their own interests) out of eight indicators of trustworthiness we see a slight improvement in 2014 compared to the scenario in 2008. The trend in representativeness

and trustworthiness thus represents a very slight tilt towards situation 4 from situation 1 in Table 6.7.

What could be the reasons for this state of affairs? To solve this puzzle we may have to look at the bureaucracy's policy performance, the extent to which the bureaucracy responds to citizens' needs. Table 6.5 shows that policymaking positions are still dominated by higher caste Hindu men, which means the civil service is still elitist in its policymaking positions. Is this why there is a deficit of good governance? Is this why it is unresponsive to citizens' needs and consequently negatively evaluated by citizens?

To find out to what extent public services and policy responses address citizens' needs, citizens were asked to assess a number of public services, policy performance, and the government's policy for preparedness in handling crises. Table 6.8 presents these assessments in the form of indices with mean scores.

Table 6.8 presents findings that vary from sector to sector. The overall scenario, especially of policy performance and the government's preparedness to handle crises, has been evaluated to be low. In the case of public service provisions in the education and health sectors, citizens' assessments are positive in both time periods, while the maintenance of law and order and agriculture extension services are evaluated as below average in 2008 and as average in 2014. Construction and maintenance of roads, culverts, bridges, sanitation, water supply and sewage, and energy supply (fuel, gas, and electricity) are all evaluated negatively by citizens. However, these services were somewhat better in 2008.

For both time periods, the citizens have quite negative perceptions of policy performance and the government's preparedness to handle crises. This also indicates that public policies have not been responsive to citizens' needs. While the overall scenario of service provision is seen to be negative, does this mean that the provision of services, policy responses, and the government's preparedness for dealing with crises affect citizens' evaluations of civil servants' trustworthiness? In Table 6.9, we carry out regressions for both time periods, i.e. 2014 and 2008. The dependent variable is civil servants' trustworthiness (index) and the independent variables are grouped into 3 sets. The first set comprises policy performance variables in line with the institution-centered perspective. The second set of variables under social capital includes civic associationism (member of voluntary associations) and generalized trust in society. The third set of variables represents socio-demographic variables such as

Table 6.8 Citizens' assessment of public services, policy performance, and government's preparedness to handle crises in 2008 and 2014. Mean scores based on a scale from 1 (low) to 5 (high)

<i>Public services, policy response and policy preparedness</i>	<i>Mean 2008</i>	<i>Mean 2014</i>
	<i>Scale 1–5</i>	
<i>Public services (Bad–Good)^a</i>		
-Education index (literacy drive, primary, secondary, high school, and university education)	3.51	3.49
-Health care index	3.51	3.40
-Maintenance of law and order	2.74	3.00
-Agriculture index for agriculture extension services (seeds, fertilizer)	3.25	3.00
-Construction and maintenance Index (roads, culverts, bridges)	2.86	2.69
-Utility services index (sanitation, water supply and sewage)	2.76	2.52
-Energy supply Index (fuel, gas, electricity)	2.22	2.50
<i>Policy responses index (Not succeeded–Succeeded)^b</i>	2.26	2.50
<i>Government's preparedness for handling (Highly inefficient–Highly efficient)^c</i>		
Natural disasters (earthquakes, flood, etc.), accidents (fire, collapse of buildings, etc.), disease and epidemics (cholera, diarrhea)	2.95	2.92

"Don't knows" are removed from the analysis

^aThe question: How would you describe the development of the following services over the last few years? The answer alternatives varied between "very bad", "bad", "not bad, not good", "good", "very good", and "Don't know"

^bThe index is additive and based on eight policy responses: (1) poverty reduction, (2) checking crime (e.g. drug control), (3) ensuring peoples' safety and security, (4) generating employment, (5) checking pollution and environmental hazard, (6) family planning, (7) checking corruption, and (8) controlling human trafficking. The answer alternatives varied between "Did not succeed at all", "Did not quite succeed", "Neither succeeded nor failed", "Succeeded quite well", "Succeeded very well", and "Don't know"

^cThe additive index denotes the government's preparedness to handle natural disasters, accidents, diseases and epidemics. The answer alternatives varied between "Very inefficient", "Quite inefficient", "Both and", "Quite efficient", "Very efficient", and "Don't know"

gender, education, religion, and caste since representative bureaucracy is concerned with to what extent civil service represents these groups and hence attract trust.

The findings in Table 6.9 show that in both time periods, there is a positive relation between public performance variables such as education and capacity to handle emergency situations and trustworthiness. In 2014, policies related to energy and agricultural sector also attracted more citizens' trust. Despite the fact that the relationships between

Table 6.9 Regression analysis of trustworthiness of civil service in Nepal (Standardized Beta coefficients)

	Year: 2014	Year: 2008
<i>Policy performance (low-high)</i>		
Education Index (literacy drive, primary, secondary, high school, and university education)	0.13*	0.10***
Health Index	-0.01	0.01
Maintenance of Law and Order	0.01	0.02
Agriculture Index	0.10**	0.01
Construction and Maintenance Index	-0.05	-0.01
Utility Services Index	0.03	0.02
Energy Supply Index	0.08***	0.02
Capacity of Handling Emergency Index	0.13*	0.08***
<i>Social capital</i>		
Associationalism (No=0, yes=1)	-0.04	-0.06
Generalized Trust (Need to be careful=0, Most people can be trusted=1)	0.01	-0.01
<i>Others</i>		
Gender (Male=0, Female=1)	-0.022	0.03
Education (Low-High)	-0.11*	-0.02
Religion (Hindu=0, Others=1)	0.00	0.04
Caste (Brahmin/Chetri=0, Others=1)	NA	-0.03
Constant (Unstandardized Coefficients)	2.071*	2.099*
Adjusted R^2	0.090	0.026
N	2404	1836

*** $p < .05$, ** $p < .01$ and * $p < .001$ (two-tailed tests)

a → Dependent Variable: Trustworthiness of Civil Service (Index)

b → NA—Data not available

policy variables and trustworthiness are not strong and not all policy variables affect trustworthiness, these sets of variables matter for generating citizens' trust in the civil servants.

The other two sets of variables such as social capital and socio-demographic variables except level of education in 2014 do not influence trustworthiness. This is somewhat surprising since it was expected that people of other religions, low caste Hindus, and females would distrust the civil service more than Hindus, especially upper caste Hindus and males.

What implications does this finding have for bureaucratic representativeness in Nepal? Despite the fact that Nepal's bureaucracy has become somewhat more representative in terms of gender and regional compositions, the bureaucracy's policymaking positions are still dominated by upper caste Hindu men. Moreover, citizens' perception of bureaucrats' trustworthiness in terms of efficiency, honesty, neutrality, accessibility, and so forth, is still assessed as poor. At the same time, it was found that better policy performance enhances trust in civil servants. Bureaucratic representativeness of the demographic composition of a country is definitely associated with inclusive, democratic governance, but is that enough to make the civil service citizen friendly? The findings from this study suggest that increased representativeness may not be enough; rather, in order to gain citizens' confidence, the civil service needs to effectively provide services, be successful in policy performance, and better prepared for responding to crises. In other words, to gain legitimacy and citizens' trust, the bureaucracy needs to be service oriented and effective in policy implementation. In other words, more citizens oriented.

CONCLUSION

In recent decades, many countries introduced affirmative policies to make their bureaucracy more representatives of gender, class, religion, caste, and ethnic composition. Paternalistic and affective bureaucracies dominated by elites have started to lose ground, and the quest for more democratic bureaucracy has now become the order of the day. In Nepal, this process started mainly after the end of monarchism in the first decade of the new millennium, amid a mass movement to make the country's governance more inclusive and citizen friendly.

The article analyzed to what extent Nepal's bureaucracy has become more representative of the country's huge demographic diversity. The second concern was to analyze to what extent the civil service has become more trustworthy and hence more legitimate. Our findings suggest that at the entry level of gazetted posts has become somewhat more representative in terms of gender and regions but policymaking positions are still dominated by upper caste male Hindus. Another feature of the civil service is that it has not gained citizens' confidence. In order to address this puzzle, the study analyzed the level of policy responsiveness, the quality of basic public services, and the government's preparedness to handle diverse crises. It was found that these are somewhat negatively assessed by citizens. What was interesting was that the perceived trustworthiness of civil servants largely depends on how policies respond to citizens' needs, whether quality services are provided, and whether the government is prepared to respond effectively to natural disasters, epidemics, and other crises. In other words, good governance matters for engendering citizens' trust more than generalized trust and socio-demographic variable such as religion and caste system. However, we lack data that would enable us to conclude that increased representativeness has led to increased citizens' trust in the civil service. Since the policy of representativeness was only recently adopted by the civil service, it may take quite a number of years before Nepal's bureaucracy becomes truly representative in a way that actively influences the making and implementation of policies. If this situation eventually obtains, we may find Nepal's bureaucracy more responsive to citizens, and hence more positively evaluated.

At present, there is a piecemeal change and a slight trend towards more representativeness at the lowest level of policymaking posts. In terms of gaining legitimacy, numerical representation may not be sufficient. The present scenario is one of passive representation: the civil service's new recruits reflect to a greater extent than before the gendered and regional compositions of the country rather than religious and ethnic compositions, especially at the higher level policymaking positions, but they do not seem to instigate much change in citizen's evaluation of the trustworthiness of the civil service as an institution.

One plausible way to attract more trust and hence legitimacy is to be more policy responsive and to achieve better policy performance. This means that achieving Situation 2, as described in Table 6.1, is a realistic option for the Nepalese civil service at the moment. This would mean

civil servants could gain more trust, credibility, and legitimacy by being more policy responsive and by providing quality services. This is more achievable in the short-term. The long-term goal would be to keep on striving to achieve Situation 4: to make the civil service truly representative and trustworthy by being more policy responsive.

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Civil Service Reforms in the Islamic Republic of Pakistan: Progress So Far, Implementation Barriers and Challenges

Imtiaz Badshah and Konstantin Timoshenko

INTRODUCTION

Civil service has emerged as a formal organizational structure around the globe. It is often considered an instrument for implementing governmental policies. That said, a neutral, competent, and efficient civil service is deemed pivotal for a society's governance structure (Olowu 2004). When the needs of a society change, attempts are made to adjust the governance structure in order to meet the needs of the changing

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environment. The formal structures of civil service organizations across the globe have therefore been in a state of flux through various reform attempts. However, most reforms have so far failed to achieve their stated objectives because ‘They never get past the implementation stage at all. They are blocked outright or put into effect only in a tokenistic, halfhearted fashion’ (Polidano 2001, p. 346). This chapter aims at providing an overview of the civil service reforms in Pakistan with a focus on the recent reform agenda. It addresses two questions: How has the civil service developed in Pakistan over time? What are the major factors facilitating and inhibiting civil service reforms in Pakistan?

At the time of independence from Britain in 1947, Pakistan was left with a well-developed civil service designed for the needs of colonial times. Since the landscape of the administration changed dramatically with independence, that design was inappropriate for carrying out the functions of the independent democratic society of Pakistan. In fact, ever since 1947, successive governments have attempted to reform and re-engineer the civil service, but it seems that all these reform efforts have made little or no effect.

Polidano (2001), who has examined civil service reforms in several nations including New Zealand, Britain, and Australia, is of the view that civil service reforms in these countries have been vigorously implemented due to the high level of political support. Previously, there was evidence that even in such countries, reform efforts had fallen far short of expectations. Researchers (e.g., Jacobs 1998; Wescott 1999) have investigated civil service reforms and made recommendations for enhancing their success. They have argued that the difficulty in successful reform implementation lies in the content of reforms and the approach to implementation.

Polidano (2001) has argued that the approach to implementation is of utmost importance for the success of civil service reforms, with strategic and tactical decisions anticipated to lead to effective implementation. The content of reforms plays a small role in successful implementation because various reform components (such as decentralization and capacity building) have proven to be difficult to launch. All this indicates that the success of the reforms depends largely on the proper implementation, meaning that reforms need to be implemented as intended and ‘are not blocked or watered down’ (Polidano 2001, p. 346). Referring to Thomas and Grindle (1990, p. 1163), the ‘characteristics of the policy reform being implemented will largely determine the kind of conflict it engenders’. The authors have developed a model coined ‘the interactive

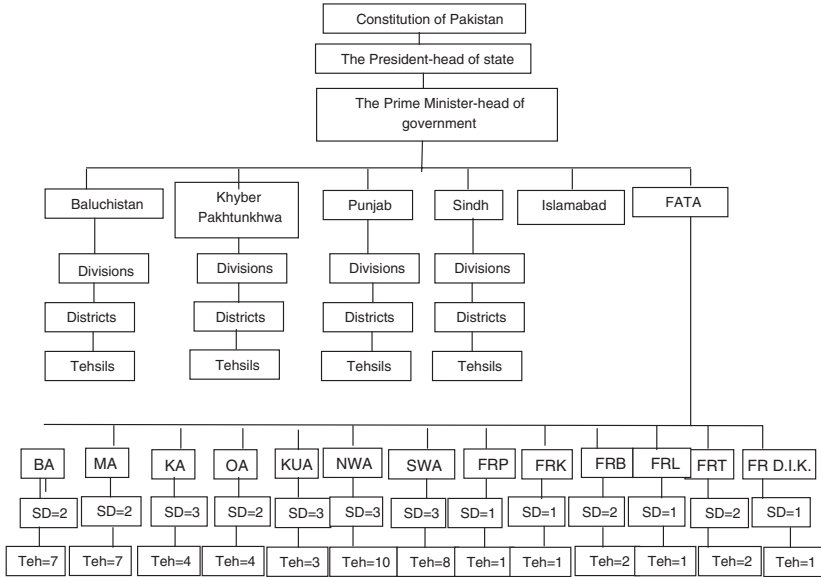


Fig. 7.1 The administrative structure of Pakistan (*BA* Bajeure Agency; *MA* Mohmand Agency; *KA* Khyber Agency; *OA* Orakzai Agency; *KUA* Kuram Agency; *NWA* North Waziristan Agency; *SWA* South Waziristan Agency; *FRP* Frontier Region Peshawar; *FRK* Frontier Region Kohat; *FRB* Frontier Region Bannu; *FRLM* Frontier Region Lakki Marwat; *FRT* Frontier Region Tank; *FR D.I.K.* Frontier Region D.I. Khan; *SD* Sub-Division; *Teh* Tehsil)

model of policy implementation’, which determines resource requirements such as the political, financial, managerial, and technical resources needed for the successful implementation of policy reforms. Resistance to reforms stems from several directions and ‘because of this, the ability to implement reforms has been elusive’. Moreover, Thomas and Grindle have defined the implementation of reforms as an interactive process and rejected it as a linear function.

THE ADMINISTRATIVE STRUCTURE OF PAKISTAN

Administratively, Pakistan is comprised of four provinces: Baluchistan, Khyber Pakhtunkhwa (formerly North-West Frontier Province), Punjab, and Sindh (see Fig. 7.1). The four provinces are further divided and

sub-divided into divisions, districts, and *tehsils* (sub-districts). There is one capital territory, that is, Islamabad, and one territory, so-called Federally Administered Tribal Areas (FATA) (Government of Pakistan 1973). The Pakistani-administered portion of the disputed Jammu and Kashmir region consists of two administrative entities, namely Azad Kashmir and Gilgit-Baltistan.¹

Constitutionally, Pakistan is a federal parliamentary republic, with the citizens electing their political representatives through general elections. The people of FATA also choose their representatives through general elections. However, in stark contrast to the rest of the country, political parties are not allowed to conduct their activities in these regions. In FATA, people contest elections in their individual capacity and are called ‘independent candidates’, as they do not have official party affiliation. According to an *Express Tribune* report, voters in FATA ‘do not enjoy the same legislative representation or accountability as other citizens because Article 247 of the Constitution prevents Fata MNAs (and all members of the National Assembly) from legislating for their area’ (Zia 2013).

The Federally Administered Tribal Areas consist of seven agencies and six frontier regions. These areas are governed by the federal government directly through a special law called Frontier Crimes Regulations (FCR). The governor of the province, who is a representative of the federal government and appointed by the president, regulates these areas through civil servants (bureaucrats) called ‘political agents’. The political agents possess judicial powers, as high courts and the Supreme Court cannot function in these areas, and they have financial power as principal accounts officers, on account of receiving a budget from the federal government. However, financial irregularities are often reported, as this system continues to rest on the principles of the colonial period. According to a *New York Times* report,² ‘The political agents are widely considered corrupt’ (Perlez 2007). As a result, there is a growing demand to streamline the overall administrative system of Pakistan, which is based on the edifice of old colonial times. Successive governments have embarked on diverse reform paths to alter the administrative structure, but this focus

¹<https://www.cia.gov/library/publications/the-world-factbook/fields/2051.html?countryName=&countryCode=pk®ionCode=?countryCode=pk#pk>. Retrieved on: 20 April 2010.

²<http://www.nytimes.com/2007/07/16/world/asia/16pakistan.html?pagewanted=all&r=0>. Retrieved on: 19 June 2013.

has diverted attention from changing the civil service, and desired outcomes have not been forthcoming.

Pakistan, as already mentioned, is a federal parliamentary republic. The federation and federating units derive their powers and authority from the 1973 Constitution of Pakistan, in which the functions of the federal and provincial governments are constitutionally divided into a federal legislative list and a concurrent legislative list (Government of Pakistan 1973, p. 58):

- (a) The Parliament known as ‘Majlis-e-Shoora’ shall have the exclusive power to make laws with respect to any matter on the Federal Legislative List;
- (b) Parliament, as well as the Provincial Assembly, shall have the power to make laws with respect to any matter on the Concurrent Legislative List;
- (c) A provincial Assembly shall, and Parliament shall not, have the power to make laws with respect to any matter not enumerated on either the Federal Legislative List or the Concurrent Legislative List; and
- (d) Parliament shall have the exclusive power to make laws for such fields not enumerated on the List of Federation and not included in the Provincial List.

The functions of the federal and provincial governments are thus clearly specified in the Constitution. The federal government has the exclusive responsibility for some functions, while others can be performed by either the federal or the provincial governments.

THE DEVELOPMENT OF THE CIVIL SERVICE IN PAKISTAN

Historically speaking, in most countries, the civil service’s structure has been developed to implement government policies. The Civil Service of Pakistan (CSP) is no exception, and its structure stems from the Indian model:

The Indian Civil Service (ICS) was the pivotal service around which the entire administrative edifice of British India was organized. Over a period of time, the ICS gained prestige in the society. The ICS was paid respect due to the powers, perks and privileges which its officers enjoyed. As a result, joining the ICS remained a dream for the people of India. In the aftermath of its powers and strengths, ICS has been described as the ‘steel frame’ of British administration in India. (Hakim 1991, p. 6)

There was a centralized recruitment, management, and control system for the ICS. Recruitment was through competitive examination, based on general education and the intellectual capability of the candidates. The post-entry training was rigorous and elaborative, personnel had permanent tenure, attractive perks, emoluments, and various other benefits, promotion was based on seniority, and civil servants were frequently transferred to new posts. Based on these characteristics, in British India, the ICS was considered by the general populace to be highly prestigious and an attractive career path (Kennedy 1987).

Pakistan thus inherited an ‘overdeveloped bureaucratic state’ (Alvi 1972, cited in Smith 2003, p. 118) apparatus, customized according to the needs of the colonial period at the time of independence in 1947. Amidst the weak economic, social, and political structure of the newly emerging state, the CSP emerged as a powerful ‘ruling clique’. That said, it often exercised more power and had considerable control over politicians and even ministers, instead of working ‘under ministerial and legislative direction’ (Hakim 1991, p. 8). The CSP therefore dominated the state structure, retaining and reinforcing the ICS structure (Gardezi and Rashid 1983, p. 74).

As Jones (1997, p. 328) has argued, the CSP ‘is deemed sick, inflicted with clientelism, incrementalism, arbitrariness, imperialism and parochialism’; it is a ‘cultural artifact’, having a long and illustrious history based on the legacy of imperial characteristics. Jones (p. 325) mentions Hugh Tinker’s narration about the CSP as a ‘soaring pyramid’, integrating both the Hindu caste system and the English class system. Therefore, both the democratic and authoritarian governments initiated reform programmes in order to re-engineer and reorganize this ‘steel frame’ civil service. All this demonstrates that the CSP has been mismatched in its overall democratic structure to carry out the policies of the governments that have been comparatively underdeveloped and weak.

The need to re-engineer and reform the CSP has long been recognized, and there have been continuous efforts to do so. Since independence, both the civil and the military governments have tried purges and reforms. Successive governments endeavoured to expand their political control over the civil service instead of strengthening it as an institution. Many reform programmes have been introduced. During diverse regimes, individual civil servants remained the target, as each reform programme was followed by the removal of targeted individuals. In 1959, President Ayub Khan dismissed 13 senior civil servants in order to

implement the Cornelius Pay Services and Reform Commission of 1962. President Ayub Khan appointed 272 armed forces officers to important administrative positions in the civil service to pursue his political agenda. In 1969, General Yahya suspended 303 corrupt officials, and this was followed by publicizing the recommendations of the Cornelius Report. Zulfikar Ali Bhutto's 1973 Administrative Reforms were preceded by the massive dismissal of about 1300 civil servants on the grounds of corruption and incompetence (Shafqat 1999, p. 1003).

Shafqat (1999, p. 1006) has argued that Prime Minister Zulfikar Ali Bhutto's (1973–1977) 1973 civil service reforms were 'a radical departure from the established order'. The hierarchy of the various cadres was changed to make the structure of the CSP homogeneous in order to introduce equality. Though the grouping system of the civil service was restructured on the notion of equality, the issues of efficiency, transparency, accountability, and performance were not sufficiently pursued in the reform packages (p. 1006). In the reforms of 1973, a centralized recruitment system through a general examination was maintained as it had been during the British period. Moreover, in order to bring more professionals into the civil service, a 'lateral entry' system was introduced in 1973. However, recruitment through this method undermined the merit-based principle. Diverse governments used the lateral entry system to induct politically associated individuals to the CSP, leading to the undermining of merit-based appointments. As argued by Jones (1997, p. 340), lateral entry led to 'excessive political intervention and virtually no legal protection against coercion and arbitrariness, and as a result the integrity of the civil service was greatly compromised'.

The lateral entry system was therefore eradicated under President General Zia-ul-Haq's administration (1977–1988). Shafqat (1999) is of the view that the Zia-ul-Haq regime did not use the reform as systematic and policy choice to punish civil service officers. However, General Zia-ul-Haq did militarize the CSP by inducting a number of military personnel into civil bureaucracy. Later, the military government institutionalized the recruitment of candidates from the armed forces by allocating a 20% quota for them in the civil services (Shafqat 1999).³ Moreover, a criterion was introduced to give seniority to those officers

³A 10% quota is reserved for armed forces officers (usually with the rank of captain) to be recruited on payscale 17, and another 10% quota is assigned to armed forces officers (usually with the rank of major) and beyond.

inducted from the armed forces over those candidates entering the civil service on merit via the competitive Central Superior Services (CSS) examination.

General Zia's regime advanced the agenda of the Islamization of the country by introducing the Islamic system (*sharia'h*). In order to pursue his political agenda, he tried to change the ideology of civil servants through indoctrination and the introduction, formally and informally, of divergent religious practices and reforms in the civil service. These Islamic reforms included, but were not limited to, a culturally accepted dress code for civil servants (national dress) and prayer-breaks during office hours. The Annual Confidential Reports (ACR), which were used for the promotion of civil servants, were changed accordingly, incorporating criteria for the judgment of a civil servant on the basis of whether or not he or she was a good Muslim. At the same time, less attention was paid to enhancing professionalism and ethics in the CSP. These reform initiatives greatly compromised the strength of competition, transparency, and performance.

In October 1999, the military government of General Pervez Musharraf (he was both the military chief and the chief executive) initiated a broad agenda of reforms to foster transparency, responsiveness to the public, accountability, and to improve performance. The reform agenda was wide-ranging, with such measures as devolution, recruitment reforms, accountability and customer focus, promotion reforms, and pay and pension reforms.

To support the developmental agenda of the country and improve the future role of the federation, the scope of the federal, provincial, and local governments needed to be redefined. To achieve this objective, federal and provincial authorities opted for 'decentralization', thereby addressing the problems resulting from the unaccountable and unresponsive civil service. However, it was suggested that a critical differentiation be made between decentralization and devolution. *Decentralization* was conceived as preserving the chain of command from the central bureaucracy to the decentralized bodies, while *devolution* was aimed at transferring power and resources to lower levels of government selected through a democratic process (Manor 2011). The process of devolution is not new in Pakistan, as it was initiated by earlier military governments in response to international political pressure to restore democracy and bring about political stability (Manor 1999). The earlier attempts occurred during the military regimes of General Ayub

Khan (1956–1965) and General Zia-ul-Haq, but were rolled back by the end of the regimes.

For various reasons, decentralization was more favoured than devolution, as decentralization reforms were considered necessary for the successful implementation of devolution reforms. As a result, during the General Pervez Musharraf regime, most reforms focused on the civil service. In order to address the challenges of the country, General Musharraf presented an economic agenda on 17 October 1999 which included seven main points (C-SPAN 1999):

1. Rebuilding national confidence and morale;
2. Strengthening the federation, as well increasing interconnection among provinces and national unity;
3. Taking steps for the betterment of the economy in order to build the confidence of investors;
4. Ensuring the supremacy of law and order, and the provision of speedy justice;
5. De-politicization of state institutions;
6. Devolution of powers to a grassroots level to ensure the participation of people in state matters;
7. Speedy and unbiased accountability.

In order to pursue his seven-point agenda, General Musharraf established the National Reconstruction Bureau (NRB). This organization was given multiple tasks, including the empowerment of citizens through local-body elections, administrative reforms, and civil service reforms. Musharraf conducted the first local-body election in 2002, followed by another in 2007, but his policy of devolution was rolled back at the end of his regime.

Under Musharraf's reign, the National Commission for Government Reforms was created in the prime minister's secretariat in Islamabad. The commission published a report in May 2008, entitled 'Report of the National Commission for Government Reforms on Reforming the Government in Pakistan'. This comprehensive report covered the following areas:

1. Restructuring the civil service
2. Structuring the district governments
3. Reorganizing the federal government

4. Improving human resource management and development
5. Simplifying rules, processes, procedures
6. Governance and delivery of essential public services
7. Reforms of selected key institutions.

The central focus for these reforms was the civil service. As General Musharraf's regime ended in 2008, the report was disregarded by the subsequent civilian government.

THE STRUCTURE OF THE CSP

The CSP has pay scales ranging from 1 to 22, with employees on pay-scale 1 being the lowest in the hierarchy, while officers on pay-scale 22 are considered top management employees. Appointment to positions with pay scales 1–16 is through a departmental-level recruitment process. In Pakistan, the executive civil service is classified into six pay scales, that is, from 17 to 22, with pay-scale 17 being the most junior level and pay-scale 22 the most senior. Recruitment to positions with pay-scale 17 is through the competitive Central Superior Service (CSS) examination, conducted annually by the Federal Public Service Commission (FPSC). This chapter discusses the executive civil service, pay-scale 17–22. Officers belonging to the executive civil service are further organized into 12 occupational groups. One of the most important steps in the 1973 Administrative Reform was to unify the various services under the federation into three unified grades:

1. *All Pakistan Unified Grades (APUG)*
 - a. The District Management Group
 - b. The Police Group
 - c. The Secretariat Group
2. *Federal Unified Grades (FUG)*
FUG include the following occupational groups⁴:

⁴Statutory Notification (S.R.O.) Government of Pakistan Establishment Division (Training Wing) Islamabad, 23 August 1990. Added vide SRO 258(I)/2001, dated 28 April 2001.

- a. Accounts Group: (i) The Pakistan Audit and Accounts Department, the Military Accounts Department, and the Railway Accounts Department; (ii) The Accounts of the Telegraph and Telephone Department, and the Pakistan Post Office⁵; and (iii) all accounts posts under the ministries, divisions, and departments of the federal government.⁶

Note: Each department operates separately, except with regard to grade 17 posts (Government of Pakistan 2000).

- b. Commerce and Trade Group: (i) Export Promotion Bureau; (ii) Import and Export (control) Department⁷; (iii) Tariff Commission⁸; (iv) Cotton Board; (v) Department of Insurance; (vi) Trade Marks Registry.

Note: Each department operates separately except with regard to grade 17 posts (Government of Pakistan 2000).

- c. Customs and Excise Group
 d. District Management Group
 e. Foreign Affairs Group
 f. Income Tax Group
 g. Information Group: (i) Press Information Department and its regional information offices; (ii) Directorate of Research and Reference; (iii) External Publicity wing and its offices in Pakistan Mission abroad; (iv) Border Publicity Organization and its regional offices; (v) Audit Bureau of Circulation and its regional offices; (vi) Directorate of Economic Publicity; (vii) Directorate of Films and Publications (Government of Pakistan 2000).
 h. Military Lands and Cantonment Group
 i. Office Management Group

⁵Establishment Division O.M. No. 10/22//82-R.2 dated 29.11.82, effective from 1 October 1987.

⁶Establishment Division O.M. No. 2/1/75-ARC, dated 3 March 1976.

⁷Omitted and Added vide Estt. Division O.M. No. 2/1/75-ARC, dated 3 March 1976.

⁸Recently, under the Government's decision, these departments' stands transferred to other ministries/divisions.

- j. Police Group
 - k. Postal Group
 - l. Railways (Commercial and Transportation) Group
3. *Provincial Unified Grades (Sl. No. 7)* (Government of Pakistan 2000).

DISCUSSION

Unstable and weak political governments, as compared to the strong civil service of Pakistan (Kennedy 1987, p. 10), often led to policy instability, meaning the abrupt termination of policies and the initiation of new policies, some of which were not properly formulated. The policy implementation process therefore became problematic, as implementation was always a reflection of what went into the formulation (deLeon 1999; Ingram 1990; Mazmanian and Sabatier 1981). It has been enormously challenging to implement all these reforms in the CSP. The lack of political and bureaucratic commitment to the implementation, the inadequacy of resources, both technical and financial, and domestic and international pressures usually impedes the many well-intended policies from achieving the desired outcomes. Lodhi (2009) has argued that reform attempts have failed for a variety of reasons:

The inability of successive civilian and military governments to address the country's underlying, structural problems ... the impact on the country of regional politics and global geostrategic dynamics ... economic deficits and disparities, and the elusive quest for political stability and economic viability.

The Civil Service Reform Unit (CSRU) was set up in the Establishment Division to oversee the implementation of reforms, but it has only managed to implement 'professional development programmes' and the 'executive leadership programme'. These recommended and send members of the bureaucracy for training and degree programmes abroad. The selection criteria of these programmes have been criticized, since only high-ranking and influential officers are awarded scholarships for overseas study. There has not been any significant political commitment to implementing the other reforms, so they remain a matter of rhetoric.

As stated, civil service reforms have been introduced during various regimes in unstable political circumstances. Governments have been

successful in introducing the reform agenda but have faced serious resistance at the implementation stage from a constellation of stakeholders. As previously stated, over time the civil service has become stronger than the legislative branch and the politically elected officials. It has therefore been able to halt the implementation of all kinds of reforms that challenge its role and compromise its perks and privileges. The political history of the country shows the establishment of multi-party coalition governments, and civil service reform programmes have also faced resistance from the political parties in these coalition governments.

Remmer (1986, pp. 19–22) has argued that democracy provides more favourable methods of protest to influence decision-making and its implementation, as compared to the authoritarian governments. However, historically in Pakistan, weak coalition governments have been established, leading to short-term political decisions rather than to the sort of long-term critical decisions required for implementing civil service reforms. On the one hand, the civil service reform programmes and policies have always been shelved without implementation due to the fragmented decision-making nature of the political regimes. The reform proponents have been allowed to affect the reform programmes without due input from other voices. On the other hand, the authoritarian military governments have relied on civil service reforms as policy instruments, rather than treating them as serious attempts to change the civil service. The military governments have always relied on higher bureaucracy to maintain their regime. This has led the civil service to maintain the status quo, also leading to non-implementation of reforms.

Authoritarian governments feel less obligation to respond to popular opinion and ‘can more readily base their decision on criteria of economic rationality. They are better able to make long-run plans than are democratic governments tied to electoral cycles; have greater centralization of power that facilitates the implementation of reforms’ (Amin and Djankov 2009, p. 3). However, history shows that the authoritarian governments in Pakistan were at a disadvantage and had problems regarding policy information. As policymaking remained highly centralized without input from the stakeholders, policies always encountered resistance at the implementation stage. Democracy has the advantage of policy information and feedback, which is vital in designing reforms. The same phenomenon is observed in the implementation of the civil service reform agenda in Pakistan.

The experience of civil service reforms in Pakistan also shows that implementation attempts have always been affected by the unstable political situation, on the one hand, and, on the other, by the strong civil service, which wished to enjoy its perks by maintaining the status quo. The coalition governments have been weak and compelled to focus on other serious issues involving the economy, emerging militancy, the unstable political situations after long authoritarian government, and other constitutional matters. As such, the implementation of civil service reforms becomes a secondary issue.

Political Favouritism and Patronage

In the contextualizing political environment of Pakistan, policy decisions directly affect the benefits of the policy actors and other stakeholders. The policy documents of performance show that short-term political objectives and goals are preferred over long-term economic and structural objectives in policy making and its implementation. Weak governments cannot properly direct a strong bureaucracy to implement policies that might lead to reducing the power and perks of its members.

The civil service has been used by the weak governments as a tool for gaining political support and loyalty through nepotism and patronage, providing employment opportunities to party workers and supporters. Such favouritism can be seen in post-election periods when a new government takes over. The provision of a 'lateral entry system' to the civil service has also hindered the implementation of civil service reforms. After winning an election, political leaders use civil service jobs, promotions, placement, and incentives to attain their political objectives. This not only increases the size and cost of the civil service but also undermines the efficiency of civil servants.

Political parties favour loyal civil servants by placing them in important positions. Civil servants who are considered disloyal are usually victimized by being made an 'officer on special duty' (OSD).⁹ These OSD

⁹OSD stands for 'Officer on Special Duty'. In the CSP, it has negative connotations. Those officers who are unfriendly or disloyal to political leaders are usually made OSDs. They only receive a salary and are entitled to no other facilities or perks of the job. They do not get promoted, as they cannot initiate their Performance Evaluation Reports. The OSD policy is therefore used as a form of political revenge.

civil servants are reinstated with all perks and privileges when the political party which favours them returns to power.

The perception of the civil service regarding political will and commitment is also vital for the successful implementation of civil service reforms. The officers are of the view that civil service reforms are not backed by adequate political will at the implementation stage. Most reform programmes have been financed by international agencies such as the World Bank and the International Monetary Fund. Therefore, after the utilization of such funds, these reform programmes have lost the interest of the politicians at the implementation stage. The view of one higher-level civil servant in the Establishment Division serves as an example:

...The civil service reforms have been used by both civil and military governments as 'policy instruments' to strengthen their political control over the civil service, instead of strengthening the civil service as an institution. The present reforms have been initiated in order to obtain a loan from the World Bank. The intention was to get the support of civil servants for the politically motivated policies. Civil service reforms need political vision and continuous commitment...

The top bureaucrats have a negative perception of the political support for civil service reforms. Such a negative perception has been built through the long history of failed civil service reforms. Successive governments, both military and democratic, have used civil service reforms as political instruments to achieve their narrow political aims, not least as a form of political revenge and to control the civil service. At the very early stages of these reforms, the dismissal of higher-level officers has created a negative perception about the implementation of civil service reforms. For instance, the Pervez Musharraf government removed top-level officers from their jobs and relieved about 800 civil servants from their jobs in just one organization—the Federal Board of Revenue.¹⁰ These reforms came about as the result of recommendations from an outside consultant, the World Bank, so they were not 'owned' by the indigenous bureaucracy. It is common for there to be a negative

¹⁰The exact number of civil servants relieved from their jobs is unknown. This information was collected from one respondent, the Deputy Collector in the Federal Board of Revenue (FBR).

perception among the bureaucracy about these outside consultants, as the civil servants think that these multilateral organizations want to decrease the size of the government through privatization, downsizing, and so forth.

The level of acceptance for implementing the new reforms has been very low for several reasons. First, civil service reform has a ‘coercive’ character, occurring as a result of policy transfer (Dolowitz and Marsh 2000, p. 13); it is usually advocated by transnational organizations such as the World Bank, without paying due consideration to the contextual environment and participation of all actors, especially the bureaucrats. Hence, such reforms result in a low level of acceptance at the implementation level, that is, in the bureaucracy itself. Second, the non-acceptance of reforms is also due to the attitude and perception of the implementers. A ‘coercive type’ of policy transfer causes bureaucrats to fear they will lose their jobs. They are concerned about their power, benefits, perks, and salaries.

Understanding and Comprehension of the Performance Evaluation Standards and Objectives

Consensus among all policy stakeholders regarding the goals, objectives, and instruments of civil service reforms plays a significant role in the implementation of such reforms in Pakistan. Decisions regarding the reforms, particularly policy formulation, are highly centralized, thereby leading to a paucity of understanding of the reform objectives. The political elite, including military governments, formulate the reforms in consultation with the World Bank, yet without giving due consideration to all the policy actors or the contextual requirements of the civil service. This constitutes a general flaw in the designing of policies for reforming a complex bureaucratic institution such as exists in Pakistan.

Disposition of Implementers/Bureaucracy

Some discretion and a certain disposition are necessary in public administration to facilitate the implementation of reforms. However, the bureaucracy in Pakistan has had unlimited discretionary power without proper accountability arrangements. Due to their inappropriate disposition, they use this power for personal gain, vested interests, and for giving and gaining favouritism (International Crisis Group 2010).

The government is aware of the misuse of discretionary power and has recently taken measures to discourage it. To curb corruption, the National Accountability Bureau (NAB) has been established to investigate the misuse of power. It is a good initiative, however, unnecessary and unlimited interference from the bureau in the daily work of the bureaucracy has also given rise to problems. The NAB has been criticized for practicing political revenge, and some of the investigating officers have used their own power for personal gain. For instance, in 1998, during the Pakistan Muslim League-N government, and after 1999, during the military (Pervez Musharraf) governments, the NAB was used against higher bureaucracy, harassing them with various charges of corruption (Nishtar 2009). The fear of political revenge on the part of the higher bureaucracy hinders the implementation of proposed reforms.

Resources

Resource allocation is crucial for successfully implementing reforms in civil service institutions and agencies, for equipping personnel, both individually and collectively, to achieve the organization's objectives through offering professional, innovative, and efficient service. The Public Sector Capacity Building Project (PSCBP) was launched in 2004 with the technical and financial assistance of the World Bank, with a total budget of US\$55 million. The Establishment Division was the largest sub-component of the PSCBP. An estimated US\$25 million has been used for the professional development of civil servants, the strengthening of the FPSC, the establishment of a National School of Public Policy (NSPP), and the strengthening of training institutions. To address the capacity and technical skills gap in the civil service, two types of programmes, a Professional Development Programme (PDP) and an Executive Leadership Development Programme (ELDP), have been initiated at a total cost of US\$17 million (World Bank 2004, p. 15).

The objectives of these programmes were to develop human resources in the public sector and to align them to emerging national and global challenges. These initiatives were aimed at strengthening government institutions by filling the human resources vacuum, implementing long-term civil service reforms, and creating an environment in which to achieve a high degree of efficiency and effectiveness in the public sector.

Institutional Structure and Its Work Conditions

‘An institution is a relatively enduring collection of rules and organized practices, embedded in structures of meaning and resources that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals and changing external circumstances’ (March and Olsen 1989, 1995, as cited in March and Olsen 2006, p. 3). An institutional structure aims at achieving stipulated goals; it has defined rules and policies to follow, while achieving the associated goals and objectives. These institutional structures and rules are based on ‘rationality’ with the goals and objectives to be achieved.

The Establishment Division is the administrative arm and personnel agency of the Government of Pakistan (Establishment Division 1989). It deals with policy issues regarding the recruitment, training, promotion and performance evaluation, discipline, placement, and welfare of civil servants. It plans the careers of the individual officers to ensure their maximum utilization and to enhance their service productivity. The implementation of performance evaluation is based on centralized policy implementation through the Establishment Division. The purpose of the centrality of the policy was to ensure the uniformity of the performance policy in the CSP.

The CSRU has been established to strengthen the capacity of the Establishment Division (to manage the broader CSR programme). Similarly, the NRB has been created to overlook structural reforms. The CSRU works under the Establishment Secretary, while the NRB is an autonomous body. Their reform proposals have not received much attention due to the lack of political will, unstable socio-economic conditions, uncommitted bureaucratic leadership, and inappropriate resources. Moreover, institutional barriers—such as the low morale of the implementers, inadequate pay, lack of discipline, poor work ethics, excessive political interference in daily work, and complex work procedures—all affected the implementation of reform policies.

Political interference in daily work is widely considered a major problem for civil service performance and accountability. It is important to comprehend the causes of it. One reason is that politicians may perceive the civil service as passive in regard to political goals and objectives. The civil servants try to resist and/or change the political goals and objectives

to save their vested interests. There may be many reasons why. First, democratic governments in Pakistan are frustrated with the powerful CSP, whose personnel pursue their own agendas instead of the one formulated by the elected politicians. Since 1973, elected governments have been seeking to curtail the independence and power of the civil service so that it can act in accordance with political interests (World Bank 1999, p. 6).

Second, the elected politicians enforce short-term goals as they come and go through elections and sometimes without completing their tenure. Pressures from constituencies compel them to pursue short-term results. To achieve these, politicians seek cooperation from the bureaucracy, which does not necessarily respond to their (politicians') whims. Therefore, to achieve the short-term goals in their short career, politicians prefer to implement and promote policies that favour their own narrow interests rather than promoting the interests of the broader constituency. For example, they seek jobs in government organizations relating to roads in their own villages, the construction of water tanks, and so forth. Finally, aside from constituency pressures, mutual patronage between politicians and civil servants is also one reason for political interference in the daily work of the CSP. Top bureaucracy has a political affiliation with political parties. Influential top bureaucrats and politicians both belong to the elite group of society, which has developed family ties and relations.

Political interference undermines the development of professionalism in the civil service of Pakistan, greatly affecting the performance of the officers. Some of the suggested reforms have been motivated by a desire to use and control the civil service for achieving short-term political objectives. For instance, the recruitment of officers through the later entry system in the 1973 reforms has been used to bring party people into the civil service. Through the practice of lateral entry, it became possible to appoint individuals at the mid-level, by hiring potential managers and/or inducting needed new skilled people in the civil service. However, the lateral entry system has been blamed for recruiting unqualified people into the civil service through political patronage.

Communication is an institutional factor which also affects the implementation process of civil service reforms. Most of these reforms were introduced by international organizations such as the World Bank and the International Monetary Fund as a loan condition, yet without communicating the aims of the reforms to the various levels within the civil service hierarchy. Moreover, reforms introduced during authoritarian

governments (military regimes) did not involve bureaucrats and politicians in the reform-formulation process. Neither has input from all 12 occupational groups been incorporated into the reforms, leading to intra-service rivalries. The officers in the District Management Group and Secretariat Group are considered the most powerful in the reforms process, compared to the other groups. The views of all stakeholders, including civil servants, have simply not been taken on board. As a result, these reforms have lacked proper communication with, and feedback from, the various stakeholders. The problem of understanding policy implementation becomes complex with the use of informal communication methods to transfer information (White 1990, cited in Glass 2002, p. 1). Informal communication eliminates records of interactions and decisions, and the policy may not be implemented effectively and efficiently. Communication problems—vertical or hierarchical, horizontal, and inter-organizational—exist in the centralized implementation of civil service reforms in Pakistan.

CONCLUSIONS

While choosing between ‘comprehensive’ and ‘piecemeal’ reforms, the reformers and policymakers in Pakistan have tended to opt for the piecemeal variant and generally been unsuccessful. ‘Piecemeal’ reforms across sectors have proved unsustainable, as they were not supported by higher bureaucracy and gave rise to serious governance challenges (World Bank 1998, p. 51). A more comprehensive approach is thus deemed desirable. There is a need for various reform areas to be properly prioritized, and their implementation needs to be properly scheduled.

Civil service reforms require a coherent vision on the part of political and bureaucratic leaders, based on a long-term and sustainable approach. This is very much lacking in Pakistan. Public involvement can enhance the vision of civil service reform, but it is not mobilized by the political leadership. Most civil service reforms have been initiated during military regimes, thereby lacking the insight of public representatives at the reforms’ formulation stage. In Pakistan, widespread doubt, based on unsuccessful previous reform programmes, prevails about the intention of civil service reforms and whether these can bring the expected outcomes. There are at least two reasons for this doubt.

First, there is a long history of failed reform attempts. Despite a number of reform commissions, most reform recommendations have

remained unimplemented. These included the recommendations of the ‘Economy Committees/Commissions’ at federal level (1948, 1957, 1973, 1975, and 1991), the Egger Report 1953; the Gladieux Report 1955, the Pay and Services Commission Report 1962, a Civil Service Commission 1978, and the Report of the Committee on Downsizing of the Federal Government 1997 (World Bank 1998, p. 55). Only those reforms that recommended minor changes and adjustments—in other words, short-term objectives—have been implemented. Intra-service rivalries may be another reason for cynicism about the implementation of reforms between the generalist civil service (DMG and Secretariat Group) and technical groups like Accounts, Engineering, and so forth.

The formulation of civil service reforms has not generated a feeling of ownership among the members of the civil service in particular and Pakistani society in general. The reforms have been introduced by authoritarian governments without sufficient consensus among the bureaucracy and the political leaders. They have not been based on public engagement, on honestly recognizing potential bureaucratic losers, or on strategies for how to handle them. Thus, these reforms have neither been owned by the bureaucracy nor received adequate societal consent and support.

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CHAPTER 8

The New Statutory Civil Service in the Maldives: Towards a Decentralized Human Resource Management Model?

Mohamed Faizal and Rob Laking

INTRODUCTION

The political reform process that began in the Maldives in 2003 was aimed at building a constitutional framework befitting a multiparty system. Key governance reforms included protecting human rights, enhancing the independence of the judiciary, modernizing the electoral system, enhancing the role of media, and strengthening key state institutions including the civil service (President's Office 2006). The enactment of the Maldivian Civil Service Act, No. 5/2007 (the Civil Service Act) was a significant element of this reform. The initial focus of civil service reform was intended to change from a personalistic, patronage-driven system of public employment to a meritocratic employment system

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largely removed from the direct control of the elected government. Reforming the traditional centralized governance was not the focus at that stage. The adopted civil service model was thus one of centralized governance through a statutory commission. It was mandated to manage the human resources of the civil service and to exercise direct authority over most major aspects of its administration. The idea to delegate some of the commission's power came later. This chapter focuses on the Maldivian civil service model. It examines the recent delegation reform and questions whether it is leading to a decentralized human resource model.

The idea of a decentralized, flexible, and performance-driven system of public employment based on the New Public Management (NPM) model played a very small part in the writing of the 2007 Act (Faizal and Laking 2013). The focus on the legal requirements of an independent merit-based civil service was a direct consequence of a basic objective of the constitutional reforms, namely to place limits on the power of the executive branch of government. Concerns with managerial efficiency and greater responsiveness to the needs of the public came later.

The chapter begins with a description of the centralization of administration and an overview of the state of the civil service before the recent reforms. The chapter then assesses six main features of the Maldivian civil service system: the scope of the civil service, management of the civil service, codes of conduct, a meritocratic recruitment system, pensions and retirement, political rights, and neutrality. Lastly, the chapter assesses the recent delegation reforms in the civil service and examines whether the civil service system is shifting towards a decentralized human resource model. The chapter argues that due to the infancy of the statutory civil service and past centralized practices, the policymakers have constantly questioned the effectiveness and adaptability of a decentralized model to the Maldivian context. Furthermore, given that the Maldives is an emerging democracy, contestation between politics and administration appears to continue. Although the establishment of a statutory civil service has led to a greater application of merit principles when making appointments, any delegated or decentralized human resource model is at risk to political intervention. The chapter concludes by arguing that without strong backing from policymakers and the necessary legal framework to sustain the recent reform initiatives, there is a significant risk that the Maldivian civil service will revert back to a centralized human resource model and personalistic and patronage-based features will re-emerge.

CENTRALIZATION OF ADMINISTRATION AND THE PRE-STATUTORY CIVIL SERVICE ERA

The Maldives has been an independent country for most of its recorded history. The British protectorate period from 1887 to 1965 did not have any impact on the administration of the government. Thus, unlike its neighbors, the Maldives did not have a ready-made system of European-style public administration grafted onto it by a colonial master. The administrative practices of the Maldives can be considered as evolutionarily based on its customs, traditions, and model of government (Faizal and Laking 2013).

With the geographical dispersion of the archipelago, one might assume there would be a strong emphasis on decentralization in the nation's governance. Historically, this was sometimes the reality, but developments in mass communication and transport from the 1960s onwards meant that the administration became increasingly centralized. In fact, during the presidency of Nasir (1968–1978), the prime minister made the final selection for government jobs after being presented with three shortlisted candidates (Zaki and Parakh 2008, p. 86). This high level of centralization is perhaps the most fundamental feature of public administration in the Maldives. On the one hand, centralization arguably brought substantial benefits that include uniform budgetary processes and expenditure in the form of standardization and redistribution of government revenue to all parts of the archipelago irrespective of the level of economic activities. On the other hand, it also meant that even the most trivial matters were referred to a central authority for decisions.

Following the re-election of President Gayoom for a fourth consecutive term in November 1993, there was some limited delegation of the administration and authority that up until then had been concentrated almost entirely in the president's office (PO). Functions delegated to the ministries during this period included preparation of the national budget and scholarship management (Mohamed 2005, p. 145). Apart from these matters, there was little real delegation of power to individual ministers, who were considered merely as 'elevated secretaries' who had to report to the PO regularly. In particular, most important aspects of government employment, for instance, the establishment and grading of posts, recruitment, appointment, and fixing of salaries and allowance scales, remained under the direct control of the PO.

Over the following years, various reform initiatives were launched, which aimed to improve the efficiency and responsiveness of public administration. These included streamlining government machinery, improving the personnel management system, creating a service-centered public service, and improving the performance management system (Faizal 2013). Some of these reform ideas were consistent with an NPM agenda and were in some cases influenced by ideas borrowed from other jurisdictions, but they in no sense incorporated the central NPM managerialist idea of significant delegation of authority over employment matters to departmental managers in return for those managers being held accountable for results. The reforms received limited political support, and not all of them are considered a success (Alam and Jasimuddin 2006; Asim 2001). Overall, they had little impact on the fundamental basis of personnel management, which remained firmly in the hands of the president. Fundamental change would have to await the new Civil Service Act of 2007, which removed personnel management from the direct control of the elected government. But, as indicated above, the reasons for this had much more to do with curbing the power of the president and creating the constitutional basis for multiparty democracy than they did with any ideas of greater efficiency in the public sector by ‘letting the managers manage’.

Arguably, this is an appropriate sequencing of civil service reforms. The creation of an independent, merit-based, and trustworthy public service could be seen as a necessary precursor to delegating significant authority over operational matters to public managers in the interest of greater efficiency and responsiveness. In the wake of the first wave of NPM reforms in developed countries in the 1990s, it was commonly argued (e.g., Schick 1998; Manning 2001) that for developing countries, establishing rule-based public governance should take precedence over managerialist decentralization, which might simply result in various elites getting control of public employment for their own benefit.

FEATURES OF THE MALDIVIAN CIVIL SERVICE SYSTEM

The Maldives Civil Service Act of 2007 was a mix of pre-existing codes of practice with some specifically Maldivian elements, but it also drew on other regional administrative codes and the civil service laws of other countries. Such borrowing may stem from a conscious desire to take on

board some of the principles in a particular model of civil service found in other jurisdictions, but they may also simply reflect the convenience of having ready-made solutions from other statutes to specific issues of the civil service. The end result was a law which was founded on some principles commonly described as ‘Weberian’, but adapted to Maldivian circumstances. The Civil Service Act in some respects embodies classic civil service principles, particularly as regards to political neutrality, but in other respects, it promotes a relatively open system of employment that reflects past practices in the Maldives.

The new Act is, however, also a significant departure from the past. This is mainly due to the dominant political agenda of restricting the power of the president in managing public employment. In the civil service bill’s debates, the main disagreements were over a few significant issues (such as the scope of the civil service), while other significant issues of principle (such as the functions of the Civil Service Commission (CSC)) did not get much attention. The lawmakers were motivated by a number of different considerations, but their principal aim was to secure a politically neutral civil service largely insulated from the direct patronage of the political executive. This was a result of a wider elite negotiation on the future extent of executive power. Thus, the drafting that turned out to be most important was to set the boundary between the political arm and the administrative arm of the executive. On issues of less significance for this objective, the drafting simply carried over detailed provisions from previous Maldivian codes, or drew on the codes of other jurisdictions, in either case with little debate.

In the following sections, we discuss what emerged from the reforms in term of six main features of the Maldivian civil service system, as a precursor to examining the recent delegation-reform initiatives.

Scope of Civil Service

The boundaries of the civil service, because of their significance for the role of the executive, were a major concern in the development of the new law. Cardona (2001, p. 5) identifies three main types of scope:

- Vertical scope—where to draw the upper dividing line between politics and administration and the lower dividing line between civil servants and other public employees?

- Horizontal scope—what public organizations are to be included within the civil service law and what organizations have to have specific statutes or can simply be regulated by general labor law?
- Material scope—what other aspects of civil service employment, such as pensions, working hours, or holidays, can be regulated by more general labor laws?

With respect to the vertical scope, the highest ranking civil servants in the Maldivian ministries are the permanent secretaries. However, a significant safety valve for patronage appointments is the president's constitutional power to appoint any number of political staff into the ministerial hierarchy—a provision that has been used extensively by successive governments and paved the way for patronage appointments. In addition, the horizontal scope of the civil service is a movable fence. The Act lists the organizations and designations that are not part of the civil service. Armed forces personnel and employees of state-owned enterprises (SOEs) are specifically excluded. The Civil Service Act also allows for any organization or designation to be excluded from the civil service through other legislation. Since the Civil Service Act came into existence, this provision, coupled with corporatizing government organizations, has been widely used to narrow the scope of the civil service significantly.

In the Maldives, unlike many other jurisdictions, there are relatively few statutes covering the material scope that are peculiar to the public sector. General employment aspects such as pension, working hours, and holidays are covered by general laws that pertain to both public and private sectors. None of these matters were seriously in contention during debate on the bill.

Management of the Civil Service

Management of the civil service by a statutory commission independent of the executive branch of government has been a common feature of much civil service legislation. The practice began in Europe and is still widely accepted, particularly in Europe, as a fundamental principle for good public governance. For example, during the process of admitting Central and Eastern European (CEE) countries into the EU, those countries had to pass legislation to establish neutral and professional civil services (Neshkova and Kostadinova 2012, p. 326). Regarding this, Dimitrova (2005, p. 81) states that the EU, under its administrative

conditionality, required countries to pass legislation that would thwart politicization:

[...] legislation establishing civil services in the CEE candidates as independent professional bodies and protecting civil servants from dismissals and extensive political interference. The model endorsed by the administrative conditionality requirements is thus closest to the classical Weberian bureaucracy model, although some subsequent advice related to the adoption of performance-oriented criteria in personnel policy brings it closer to NPM and therefore, according to some, it is a mixed model.¹

Nevertheless, this principle is the subject of a debate that has lasted for over a century. With reference to models of independent civil services, Argyriades (1996, p. 65) states that ‘governments have grown increasingly wary of such *grands corps d'état* that are removed from their control and able to exercise a measure of independent influence, often commensurate with the quality of their professional advice’. It is increasingly argued that ‘executive leaders, needing to consider their own re-election, their prestige, and their performance, feel a need to gain control of the instruments of governance’ (Suleiman 2003, p. 214).

The diversity of the constitutional framework in different countries prevents the creation of a single blueprint for the relationship between the political arm and the administrative arm of the executive. Some jurisdictions, for example, will have a Ministry of Civil Service as part of the executive branch, as well as a statutory CSC. In the Maldives’ case, in the absence of a central ministry, the CSC centrally manages the entire civil service in all its aspects. The main functions carried out by the commission include (1) formulating regulations on personnel management (e.g., appointment, dismissal, transfer, setting pay scales and allowances, grievance, discipline); (2) direct overseeing of personnel management (e.g., approval of appointments and dismissals); and (3) investigating grievances and sanctioning civil servants. Additional responsibilities of the commission include formulating codes of conduct, setting occupational classification and job cadres, and approving all organizational structures. It also needs to reconcile civil service costs with the national budget.

¹See Fournier (1998), who evaluates it as a classic Weberian model, and Bossaert and Demmke (2003), who disagree, calling it a mixed model.

The Commission's extensive and direct supervision and control was meant to ensure uniformity across the Maldivian civil service and was never in question during the debate on the bill. There was no discussion then of a greater degree of decentralization of civil service management. As a result, the previous centralized system of management was maintained. Until the reforms of August 2015 (discussed later in this chapter), the CSC's authority over personnel management was absolute, and its written approval was required for all the main functions.

Codes of Conduct

A written code of conduct or a labour code is a feature of many civil services, and it often outlines the main duties of civil servants. The principles and operational features of a civil service can also be defined by such a code. In OECD countries, general principles might be laid out in the constitution or in an organic law, but operational practices covering detailed behaviours expected from civil servants have been generally defined in regulations or ordinances. As countries increasingly find such an approach to be inconsistent with effective human resource management, the detailed ordinances have been converted to more normative principles of behaviour and performance standards (OECD 1997). The use of a code of conduct containing the basic professional values expected of an independent civil service is still common in OECD countries, but a code will 'generally leave considerable room for individual solutions adapted to the individual circumstances and, where necessary, for departure from its provisions if other considerations demand' (OECD 1997, p. 5).

Over the years, the Maldives have been moving towards a law-based approach whereby the codes are being specified in detail. The first attempt to provide legal status for government officials in the Maldives was through a law passed in 1968, which specified the general responsibilities of government employees. Since then, principles have been written into the regulations governing government employees. A code of conduct for government employees was in place even prior to the statutory civil service, and those principles had been evolving over the years. With the formation of the civil service, they have been specified in more detail (CSC 2014). They are also in line with the general principles of conduct specified in the 2008 constitution (Article 182b). In this respect, the Civil Service Act continues

that law-based tradition. The Act specifically states that a code of conduct needs to be devised by the CSC (Article 18f). The CSC has chosen to articulate these general principles into a regulation that specifies offenses, penalties for their violation, investigation proceedings, and appeal processes.

Meritocratic Recruitment System

The classic civil service model also features a permanent civil service where recruitment and promotion are based on merit rather than on patronage or political affiliation. Since the time of its consideration in the 1854 Northcote/Trevelyan Report, the meaning of ‘merit’ has evolved through legislation, case law, and societal interests. During this time, the concept has also been a point of contention when appointments have been made through patronage. Despite the fact that most governments continue to use principles other than merit to at least some extent, they still consider merit to be an important principle for the majority of positions in the civil service.

Disagreement continues about what constitutes merit, for it is only vaguely defined in some systems. Nevertheless, with merit-based recruitment being one of the defining characteristics of Weber’s model of bureaucracy (Page 1992), and civil servants being selected on the ‘basis of achievement criteria and merit, rather than ascriptive criteria such as case, race, class or language’ (Peters 2010, p. 83), this principle is retained even with modern changes in the civil service. To ensure that initial appointments are based on merit and to promote fair and equal treatment of the civil service candidates, civil services commonly use a regulated and standardized entrance examination (Meyer-Sahling 2009, p. 27). With the changing face of civil services, however, the use of standardized examination systems is on the decline (Meyer-Sahling 2009).

Until the Civil Service Act, merit had been an alien concept for employment in the Maldivian government. During parliamentary debates on the civil service bill, lawmakers argued that in the absence of a merit principle, a wide range of exceptions, especially close to election periods, were evident in the appointment, transfer, and promotion of public officials. They opted to give those powers to a statutory body rather than to the president, and they decided that the best criteria for managing personnel were merit-based. To ensure that no discrepancies

would exist in the application of merit, they chose to carefully define what merit connotes. According to the Civil Service Act, when using merit at all levels of appointments (recruitment and promotion), preference should be given to academic results, followed by past experience in the field of work (Article 5e). So far, there is no evidence that the CSC has violated the application of merit.

A common principle of civil services is that specific positions will be filled through fair and open competition, with selection based on merit, but this conflicts with the principle of a career civil service with some protection for incumbents. Civil services accordingly vary in the levels at which entry can occur. Recruitment systems are often classified into two general types:

- (a) Closed entry, hierarchical systems with limited inter-class (and often interdepartmental) mobility and highly selective entry requirements (Nunberg 1992, p. 21). Entry is generally restricted to a small range of lower level positions.
- (b) Open systems with lateral (and more flexible) entry, greater vertical and sometimes horizontal mobility, and more frequent use of short-term or contractual employment (Euroconsult Mott MacDonald 2008). Entry is generally possible at all levels.

It might be difficult to fit a particular country's civil service into either of these ideal typologies: most countries have features of both.

Recruitment practices in the Maldivian civil service are inclined more towards an open system. The Maldives' system has five main features: Firstly, lateral entry to any level of the hierarchy was allowed before the statutory civil service and remains permissible under the new Act. Secondly, to encourage movement between public and private sectors, previous work experience in either sector can be recognized for appointment. Thirdly, vacant positions are filled by open competition, with internal and external candidates vying for the positions. All vacant positions must be publicly advertised, regardless of whether an eligible person is available within the organization. This is basically a continuation of the rules that existed in the pre-civil service period. Fourthly, short-term contract employment is also permitted. Such provisions are used in fields with a shortage of qualified personnel. Fifthly, a high degree of horizontal mobility from one organization to another is allowed within the civil service.

Although recruitment practices thus lean towards an open system model, there are several features of the classic model. According to the Civil Service Act, the CSC's approval is needed for all appointments, transfers, and promotions within the civil service. A second feature is the use of selective entry requirements. These requirements are predefined and formulated centrally by the CSC. In December 2015, a civil service entrance examination was also introduced for civil servants, although it has not been made mandatory at this stage.

Pensions and Retirement

Provision of a pension is a further feature of Weberian bureaucracy (Gerth and Mills 1948, p. 203). The right to a pension is part of a bargain between the state and the employee. It usually includes some incentive—in the form of deferred benefits—for the employee to provide loyal service over the whole of his or her career. A pension is often a continuous payment given at a defined rate, for life, typically upon retirement. Retirement age can vary across countries, often with a mandatory retirement age at which the person is entitled to the maximum possible pension, and early retirement options at which the person is entitled to a reduced pension. The defined-rate retirement pension is often calculated based on the length of service and past salaries.

In the past, when traditional career models of civil service existed, many countries had specially designed occupational pension schemes for civil servants (Bossaert et al. 2001, p. 163). However, with changes in the economy and demography, many countries are reforming their pension schemes to make them more affordable for the entire community. Some countries have even scrapped specially designed schemes for civil servants and moved to general schemes. Other changes include moving from schemes that are paid out of the government budget to fully funded employer–employee contribution schemes, as well as changes in early and mandatory retirement ages. Such fiscally motivated changes have helped erode the idea of a job for life, particularly when pension rights are made portable.

Before 2009, there were no laws governing pensions in the Maldives. The nation's social security system was weak, and there was no universal pension, social benefit, or mandatory retirement age. There was a pension scheme for all government employees, and it was

fully funded by the government; the employees themselves were not required to contribute to it. Society was accustomed to the idea that government employees held their jobs for life. The Civil Service Act in 2007 and the introduction of the Pension Act in 2009 changed the picture. Firstly, the Civil Service Act introduced for the first time mandatory and voluntary retirement ages. Secondly, the Pension Act, which covers all state employees as well as private sector employees, has meant that the employee and the employer contribute equally to the pension scheme. The implementation of the civil service retirement age and the general pension scheme, although both potentially politically sensitive issues, have so far been introduced without any significant protest or debate.

Political Rights and Neutrality

Given that change of governments is an accepted norm in a modern democracy, civil servants must be willing to serve the elected government of the day, whatever that government might be. As a result, civil servants are required to be unbiased and politically neutral in undertaking their duties and responsibilities: They 'should avoid activities likely to impair or to seem to impair, their political impartiality or the political impartiality of the public service' (Kernaghan and Langford 1990, p. 56). In order to maintain a neutral civil service, therefore, a number of rights exercised by the general public may be constrained for civil servants.

Generally, the concept of 'political rights' refers here to engaging in political activity and in making public comments. As far as the political rights of civil or public servant are concerned, some scholars have pointed out that while 'public servants should enjoy as many political rights as other citizens; this right clashes, however, with another legitimate right—the right of public officials and members of the public to enjoy the reality and the perception of impartial public service' (Kernaghan and Langford 1990, p. 61).

As Vaughn (1976, pp. 4–8) observes, the debate concerning the appropriateness of restrictions on political activities has been intense, and the propriety of such restrictions is open to considerable debate. However, according to Mosher (1982, p. 23), it is commonly argued that some limits on civil servants' rights are justified to assure the continuing viability of the democratic system. Basic rights such as freedom of

association and expression, and rights to acquire wealth through enterprises related to the civil service profession, can be restricted to ensure that civil servants maintain the integrity of the civil service and also to eliminate abuse of power and conflict of interest.

Those who believe restrictions should be in place argue that individuals who join the civil service or public service should expect that, in order to maintain the political neutrality of the service, there will be some restrictions on their political rights. Hood and Lodge (2006) argue that both politicians and public servants need to give up some of their rights, which they refer to as ‘public service bargains’. Furthermore, some argue that expansion of political rights can lead to patronage appointments when ministers’ confidence in the loyalty and impartiality of civil servants is absent (Kernaghan and Langford 1990, p. 63). Therefore, the challenge for any civil service is to find the optimum balance between political rights and political neutrality. However, as Kernaghan (1986, p. 652) has correctly stated, ‘the perfect balance between political rights and political neutrality for public servants is likely to remain an elusive goal’. Others argue that civil servants cannot be fully neutral, so the focus should be to ‘have loyal civil servants who are aware of ethical problems, the dangers of corruption and the problems involved with political favouritism’ (Demmke 2005, p. 63).

In the Maldives, the restriction on civil servants’ participation in political activities is defined in the third amendment to the Civil Service Act that was passed in 2015. All civil servants are prohibited from participating in any political activity while on official duty. The Civil Service Act and the regulation also require impartial and unbiased service to all citizens. To maintain a clear separation between public duty and private interest, the Civil Service Act and subsequent regulations contain specific provisions covering conflict of interest, adherence to professionalism, and impartiality in the dissemination of duties. There are law-based penalties for violations of these principles.

In practice, civil servants in the Maldives appear to have accepted the norm of their political participation being restricted. So far there have been very few instances in which civil servants have been publicly caught up in controversies regarding political participation. However, the provisions on conflict of interest, professionalism, and impartiality appear to be relatively new for the statutory civil service, and thus there is currently very little evidence of their longer-term effectiveness.

FROM CENTRALIZATION TO DELEGATION; LEADING TO DECENTRALIZATION?

Management of the civil service is linked to the responsibilities of the state as the employer of civil servants. Common standards of human resource management throughout the civil service are required to maintain uniformity. To that end, the extent of the centralization of personnel management is important. A centralized system of civil service management does not necessarily imply ‘a single, central monolithic organ controlling all system personnel movements, but rather some degree of shared personnel authority exercised by several entities at the central level’ (Nunberg 1992, p. 15). The powers in a central system could be divided amongst different state bodies, typically between a CSC and a Ministry of Civil Service. Regardless of how the functions are divided, the model promotes the central supervision of functions. On the other hand, a decentralized system of civil service management ‘increases the decisional autonomy of line managers on most personnel matters, leaving only broad policy guidelines to be worked out at the center’ (Nunberg 1992, p. 16). Increasingly, governments are moving away from ‘centrally-managed career-based civil service systems towards decentralized management of human resources’ (Laking 2007, p. 5), thereby fragmenting the uniform code of the civil service.

In the Maldives, decentralization could have two different dynamics. One is the challenge of devolving power onto local governments in a nation of small islands scattered over 115,000 square kilometres of ocean. Although not in conjunction with civil service reform, successive governments have, since 2008, taken significant steps in delegating a number of functions to the island councils and atoll councils, for instance, issuing permits, licenses, and collecting taxes—functions that up to 2008 were carried out by the central ministries. These changes were in line with the 2008 constitution that was based on a decentralized local government model and were accompanied by a significant civil service de-concentration: The proportion of civil servants in the atolls has increased from 47.66% in 2008 to 65.38% in 2015 (source: www.csc.gov.mv). The reforms were focused on delivering services from positions closer to the people—a significant shift from past practices where central ministries controlled all aspects of administration.

But despite moving civil servants to the atolls, the management of civil service has remained solely with the CSC. The second challenge is

therefore to delegate some of the CSC's current powers to ministries and local governments.

The initial approach has been to try to decentralize many of the operational functions of personnel administration to individual organizations, through a decentralized human resource information system. As part of the Maldives Civil Service Strategic Plan 2011–2015, the CSC set out to replace its existing employment management system (Viuga) with one that is more compatible with decentralized human resource management. On 12 August 2015, the CSC launched Viuga 2.0, in which all employment management functions would be carried out by individual organizations, yet with the CSC able to audit all transactions. Through Viuga 2.0, over six hundred civil service organizations (including ministries, departments, atoll councils, island councils, hospitals, schools) have access to the software and will operate under the new delegated authorities. Functions delegated to the civil service organizations include appointments, transfers, promotions, terminations, retirements, suspensions, salary increments, and updating employment records (CSC 2015a). Delays in completing all the modules and operational problems with the software have delayed full implementation of the delegation. Nevertheless, this initiative, when fully implemented, will mark a major shift in the history of the civil service's human resource management.

In the new system, however, the CSC continues to reserve some important powers for itself, including appointing permanent secretaries, the top post in each atoll and island council, and the top posts of other executive organizations operating independently of a central ministry. It will also set pay scales and allowances for all civil service jobs, approve organization and job structures, and investigate appeal cases on grievances (CSC 2015a).

Although these critical functions were retained within the CSC, the delegated functions are groundbreaking as far as the Maldivian civil service is concerned, and a major step towards breaking the traditional shackles of central control. The changes are, however, just the start of a journey towards institutionalizing the reforms. Firstly, while individual organizations now have the authority to make many decisions previously taken by CSC, questions remain about their capacity to do so. In the previous centralized model, a final verification was carried out by the CSC to ensure that the rules and regulations were fully complied with. The delegated authority means that each organization verifies its own decisions, subject to post-employment audit by the CSC. Although

all organizations are required to apply the regulations consistently, the post-employment audits have so far discovered anomalies, thereby raising questions about their readiness, capability, and willingness to undertake the additional responsibilities. Although plans for delegation have been floated in the public service for decades, similar fears have, in the past, caused authorities to refrain from delegating employment functions to the individual organizations.

Secondly, the majority of the CSC members who approved the new delegation of responsibility finished their terms of office shortly after the delegations were implemented and three new commission members, including a new chairperson, were appointed by the parliament. One additional member left for another post towards the end of 2016, and thus a single commission member from the initial reforms remained. These changes have opened the possibility of changes to policies implemented by the previous commission. Nevertheless, by the end of 2016, there appeared to be a continuing commitment to the delegation reforms. The new Maldives Civil Service Strategic Plan 2016–2020, approved and launched by the current commission in December 2015, stated that one of the strategic objectives was to ‘strengthen and institutionalize the decentralized civil service employment functions’ (CSC 2015b).

The lesson from past administrative reforms is that they will flounder without support from the political leadership. These delegation reforms also need strong support in order to be fully embedded, to make the employment functions of the civil service more efficient, and eventually to provide the public with better service. The establishment of a statutory civil service has led to more widespread application of merit principles in appointment. The nascent state of democracy in the Maldives has, however, created a politically charged environment dominated by political rationality. The contest over the boundaries between politics and administration goes on. So far in the relatively short history of the new Act, the main observable effects have been on the boundaries of the civil service itself, by adding political staff to the ministerial hierarchy, moving organizations out of the civil service through legislation, and corporatizing government organizations. But this continuing contest over the boundaries between the political and administrative arms of the executive may lead to a greater politicization of the civil service itself.

In particular, any delegated or decentralized form of human resource management may now be more at risk to political intervention. The widespread application of merit principles since the inception of the

statutory civil service may be subject to political maneuvering by interpreting the Civil Service Act and regulations differently to what the CSC has intended. Although permanent secretaries and other senior civil service officials exercise delegated authority, their decisions on personnel management functions such as recruitment, promotion, and termination can be subjected to political pressure.

Furthermore, the reforms were implemented by the CSC without any additional amendments to the Civil Service Act: the CSC delegated the selected functions in August 2015 by the power vested in it by Article 9b of the Civil Service Act, which states ‘of the work assigned to the Civil Service Commission as per section 18² of this Act, the Civil Service Commission has the discretion to assign work it determines to offices stipulated in section 61³’ (unofficial translation). Arguably, such a major change towards a decentralized model of human resource management requires definitive and clear changes to the Civil Service Act itself, including to the powers of the permanent secretaries, clearly delineating the powers (such as appointment of permanent secretaries, or inspection and audit of the system), which remain with the CSC, and strengthening provisions to ensure that appointments made by permanent secretaries are on merit and required to be made independent of the political executive. From experience in other jurisdictions, it is practically impossible to guarantee that all such decision making is free from political influence, for it can be exerted in all sorts of indirect ways. But at least a statement in law provides a clear public commitment to the merit principle, and it is backed up by supervision and audit.

CONCLUSION

The Maldivian civil service has shown significant progress in the basic principles of merit-based appointment, while maintaining the inherited centralized governance structure. The bold move towards a delegated form of human resource management, however, means that significant challenges and risks lie ahead. The delegation reforms are at the initial stage, and there are a significant number of procedural and operational details yet to be institutionalized throughout the Maldivian civil service.

²The Article covers all the functions of the CSC.

³The Article covers all the civil service organizations.

Whether the delegated responsibilities will lead to a more decentralized form of human resource management in the civil service is still an open question. The progress achieved in applying merit principles requires careful attention in order to achieve long-term sustainability. Without strong backing from the policymakers and the necessary legal framework to sustain the recent delegation reform initiatives, there is a significant risk that the Maldivian civil service will revert back to a centralized human resource model, and that personalistic and patronage-based features will re-emerge.

CODA TO THE CHAPTER

This chapter covers events up to the end of 2016.

One of the risks to the decentralization reforms in this chapter was that the new members of the CSC who took office in late 2015 would take a different position on the reforms introduced by their predecessors. In fact, the CSC, with new membership, has since decided to rescind the delegations to government organizations, citing irregularities in the exercise of delegated authority. From June 2017, the CSC has been performing all the functions that it previously delegated. Thus the next chapter in the story of the Maldives Civil Service remains to be written.

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Public Administration in Sri Lanka: An Analysis of Evolution, Trends, and Challenges in Personnel Management

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From the beginning of the sixteenth century, Sri Lanka was colonized by three European nations—the Portuguese, Dutch, and the British. Being a British colony resulted in considerable socio-economic and politico-administrative outcomes. At present, the public service stands on a tripod: colonial legacies, local inventions, and components borrowed from global reform waves. This paper discusses the historical development of personnel management practices in the public service in Sri Lanka. It starts by presenting an overview of the development of the public

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service, then maps the nature of the public service with reference to the effects of reforms introduced by successive governments. The chapter's final sections analyse the challenges presented by politicized personnel management practices.

ORIGIN AND DEVELOPMENT OF THE PUBLIC SERVICE IN SRI LANKA

The modern bureaucracy of Sri Lanka is a by-product of British colonial rule, introduced to administer the country (Warnapala 1974). 12 October 1798 marked the beginning of the Ceylon Civil Service. This was when Frederick North assumed office as the governor general of the island, accompanied by a staff of eight. In September 1801, 24 staff members, recruited by the secretary of state in England, arrived to establish the nucleus of a 'covenanted' civil service (the 24 entered into a covenant promising faithfulness in their service) (Collins 1966). From its very beginning, the public service was strong and stable due to the experience and expertise of its members. They occupied key positions in the central government and ran the entire machinery of provincial administration. They played a dual role: as well as implementing policies, they also formulated them. According to Ekanayake (1985), some public servants were in the Executive Council and had the opportunity to influence all aspects of public policy.

Although constitutional developments from 1832 to 1921 reduced the significance of this dual role of the public service, it cannot be denied that for nearly a century, these public servants acted both as chief executors of government policy and as chief legislators. The constitutional developments, which primarily resulted in expanding the size and power of the Legislative Council, reflected flexibility in colonial attitudes and affected the administrative structure and its restructuring (Collins 1951).

Parallel to this development, the scope of public service expanded and a vast array of new administrative departments emerged. For instance, the Irrigation Department, the Public Works Department, and the Survey Department were established in 1889, the Forest Department in 1900, and the Department of Agriculture in 1912. This expansion of governmental activities led to the increased recruitment of personnel. In 1911, the number of civil servants was 5375, and by 1921 it had been increased to 7951 (Tambiah 1955). On the one hand, this indicates the expansion of the socio-economic responsibility of the state towards its

citizens. On the other hand, it gave opportunities to the local population to be widely represented in the bureaucracy. Sri Lankans occupied 12 and 32% of civil service positions in 1920 and 1925, respectively (Warnapala 1974). This marked the beginning of the gradual nationalization of the public service.

Constitutional reforms introduced by the British in 1921 and 1924 paved the way for turning the public service in a politicized direction. Hitherto, it had been accustomed to governing the country without any serious political interference; now, through being manipulated by political hands, it started to exercise a great deal of political influence (Collins 1951). Another major drawback of the constitutional reforms of 1924 was that the power and responsibility of politicians and administrators were divorced from each other. To remedy this ailment, the Donoughmore Constitution of 1931 merged the power and responsibility of the public service. It then became the duty of the public service to give effect to the policies of the executive committees. As Charles Collins explains: 'The Public Service now entered upon a change-over period, from a state of affairs where officials shape policy as well as carry it out, to one when their chief, concern is to give effect to the policy of the popularly elected Minister' (Collins 1951, p. 123).

This period of the Donoughmore Constitution inaugurated an era of social and economic change that affected the role of the public service. The new tasks of the government demanded changes in the administrative structure and an increase in personnel. Article 31 of this constitution provided the legal provision to establish the first ever Public Service Commission (PSC). Up to 1948, the governor, who was the sole agent of the colonial crown, had all responsibility for recruitment, promotion, and disciplinary matters within the public service. The most important change that the constitution of 1948 brought was the immediate adaptation of the public service to the changing economic and social development goals of the new political leadership. The unique contribution of the political system was that it provided the first intensive test in bureaucratic adaptation.

The Soulbury Constitution of 1948 further strengthened the PSC such that it could work with total independence while enjoying the executive power of recruitment, promotion, transfer, and disciplinary control of personnel. The power vested in the PSC stemmed from Article 160(1) of the constitution (Unantenne 1983). This provision aimed at ensuring the principles of impartiality and political neutrality amongst those working in public organizations. While under the political control of the

cabinet or the members of parliament, the PSC was supposed to ensure that political interference from these same politicians be brought to a minimal level.

The general election of 1956 brought S.W.R.D. Bandaranayake to power, and the aims and aspirations of his government were entirely different from those of the foregoing leaders who had held power for nearly a decade since independence. The new government introduced several radical reforms (Unantenne 1983).

One reform was to expand the size of bureaucracy by restructuring it. This was necessary on account of the Sinhala Only Act of 1956, which made the language of the majority community the official language. With the introduction of universal free education in 1945, education was extended to every nook and corner of the island. Thus, an educated Sinhala-speaking middle class with a predominantly rural background, nationalistic outlook, and a commitment to major social change began entering the public service at all levels (Unantenne 1983). Nevertheless, until the 1970s, the public service enjoyed a fair amount of autonomy from political involvement and interference as a result of the constitutional provisions made in the Soulbury Constitution enacted in 1948.

Table 9.1 shows the increase of personnel in the public service from 1911 to 2016. It shows that after independence in 1948, the number of personnel drastically increased. From 5375 personnel in 1911, the number increased to 876,395 in 2016. Significantly, in 1951 and 1968, there was a total of 159,174 new recruits.

The first Republican Constitution of 1972 made significant changes to the public service in Sri Lanka. It brought the country's entire administrative structure under the control of the cabinet of ministers. Article 106 (1) of the constitution stated that the cabinet ministers were responsible for the appointment, transfer, and disciplinary control of state officers—tasks which had thus far been performed by the independent PSC. Being vested with these responsibilities, the ministers were answerable to the National State Assembly. The provision of subjecting the affairs of public service to the political leadership marked the first-ever politicization of the service that had hitherto been governed by the independent commission established by the Soulbury Constitution (Country Study and Guide 1988). By replacing the PSC, the new constitution introduced two institutions for dealing with public service: the State Services Advisory Board (SSAB) and the State Service Disciplinary Board (SSDB).

Table 9.1 Growth of the public service (1911–2016)

<i>Year</i>	1911	1921	1931	1941	1951	1968	1972	1980	1990	2002	2016
No. of personnel	5375	7951	45,747	83,543	144,500	303,674	323,718	368,849	421,009	587,805	874,395

Sources: Warnapala (1974), Collins (1951): www.statistics.gov.lk (2016)

The main responsibility of these boards was to assist the cabinet in implementing its duties regarding the public service. And since the power wielded by these boards was only advisory, the ministers were not compelled to accept it or put it into practice.

The immediate impact of the constitution of 1972 on the public service came to expression in at least in three ways. First, it brought the bureaucracy, which until then had been protected from direct political interference, under the direct control of the cabinet and the National State Council. Second, it led to political considerations assuming the major role in managerial decisions that concerned the bureaucracy, contributing to an erosion of the political neutrality that had come to be the hallmark of the bureaucracy. Third, it led to gradual change in the behavioural culture of the bureaucracy itself—moving away from being a ‘public service’ to a ‘political party-appendage’ (Asian Development Bank 2004).

De Silva (1993, pp. 88–97) explains this overall evolutionary process of the Sri Lankan public service thus: ‘As politicians intervened in recruitment, offering jobs as patronage to followers, a politicized and overstuffed Public Service was no longer able to perform its role’.

The second Republican Constitution of 1978 re-established the PSC and gave it almost the same responsibilities as it had had before 1972 but subordinated it to the cabinet. Article 55 (2) further strengthened the political control over the public service by debarring the cabinet ministers from delegating their authority to the heads of departments.

On 3 October 2001, the PSC was upgraded to an independent commission, making it responsible only to the parliament. It implemented the depoliticization of the public service by making the discretionary power of political authorities subject to checks and balances. According to Article 55(1) of the constitution, the PSC was empowered to formulate rules, regulations, and procedures pertaining to the recruitment, promotion, transfer, and disciplinary action against public officers. However, by enacting the 18th amendment, the provisions of the 17th amendment were rescinded. The PSC’s power was brought back under the direct control of the cabinet, and the cabinet ministers were able to directly appoint the heads of departments. The 19th amendment, enacted on 15 May 2015, re-established the PSC as the body to oversee the administration of the public service. At present, it is believed that the PSC undertakes the all-important administrative responsibilities of managing public service personnel.

NATURE OF PERSONNEL MANAGEMENT IN THE PUBLIC SERVICE

By the late 1980s, the public sector employed about 25% of the working population (Country Study and Guide 1988). Even though the non-state sector represented a larger portion of employment, public sector jobs were still in high demand. This may be due to the better privileges of state employees, insurance benefits, or attitudes about public service that had lingered since colonial times (Gunawardana 1989). Before discussing this in detail, an overall understanding of the sector-wise composition and distribution of cadres is necessary.

In 2002, based on data released by the Department of Census and Statistics (DCS) of Sri Lanka, the total number of employees was 835,650. This represented a ratio of 1 public servant for every 25 citizens, and it can be considered significant in the context of the developing world. The entire public sector—its main sub-sectors are the state sector, the provincial public sector, and semi-governmental organizations such as state-owned enterprises—recruits public servants to provide services for the public. In 2016, while the state sector, which is directly administered by the central government, had 492,280 employees (around 44% of the total civil servants), 382,115 persons were attached to the provincial public sector in nine Provincial Councils of the country. In the semi-governmental sector, there were 243,413 civil personnel (Department of Census and Statistics—Sri Lanka 2005). Table 9.2 illustrates this composition of the public sector.

The occupational distribution within the Sri Lankan public service also suggests another aspect of its bureaucratic hierarchies. There is quite a large top layer of professionals, technicians, associate professionals, clerks, and related workers. Nevertheless, the apex of the system consists of far fewer. In 2016, there were 480,000 senior officials, managers, and legislators at the top of the hierarchy. A considerable portion of the

Table 9.2 Distribution of employees in state, provincial public, and semi-government sectors in 2016

<i>Sector</i>	<i>No. of employees</i>
State sector	492,280 (44%)
Provincial public sector	382,115 (34%)
Semi-government sector	243,413 (22%)

Source Census of Public and Semi Government Sector Employment—2016

public service consists of service and sales workers. Numerically, they represent more than 11.21%. While 6.5% of public servants were employed in professional-level positions such as teaching, health services, and postal services, another 4.04% worked in clerical and other parallel-grade posts in the public service. Table 9.3 shows more details of the distribution of public servants by major occupational segments.

As the administrative culture of the country shows, public officers have traditionally enjoyed a high degree of prestige and social status. This can go far in accounting for why government jobs have been the most preferred form of employment. Service in government has tended to be considered a career path, chosen for life and pursued until retirement with few opportunities of mid-career entry. The recruitment system attends closely to the educational system, and access to the higher civil service is restricted to those with higher education (Wijenayake 2000).

In the early civil service, the method of recruitment and promotion depended on a formal system of evaluating candidates' educational and professional qualifications. Performance-based education was considered a means for improving the personality and character of public servants, but also a tool for earning respect and trust amongst the population. Until 1854 recruitment was done on the basis of the Haileybury Entrance Examination. A system of open-competitive exams was introduced in 1856. In 1870, a system was initiated to hold exams simultaneously in Colombo and London (Warnapala 1995, p. 50). Meanwhile, the local candidates who were not recruited through examination were simply nominated by the governor but were still required to sit for a non-competitive exam.

As Table 9.4 shows, the compulsory and optional subjects of both types of exams stressed the importance of knowledge in several areas in order to carry out the functions of one's office. Although knowing local languages was prominently mentioned from the very beginning of the public service, the formula outlined above did not include it as a requirement. After 1822 proficiency in Sinhalese or Tamil became a necessary condition for promotion in the public service, regardless of how difficult they were to learn (Warnapala 1995).

In this context, the public servants became not only professional experts but also close observers of the indigenous lifestyle.

Table 9.3 Employed persons by major occupational segments 2013–2016 ('000person)

<i>Segment</i>	2013		2014		2015		2016	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Managers, senior officials and legislators	365	4.75	34	0.46	480	6.13	480	6.04
Professionals	484	6.30	492	6.67	511	6.53	519	6.53
Technicians and associate professionals	448	5.83	450	6.10	471	6.01	485	6.10
Clarks and clerical support workers	281	3.66	327	4.43	311	3.97	321	4.04
Service and sales workers	847	11.03	903	12.23	853	10.89	891	11.21
Skilled agriculture, forestry and fishery workers	1490	19.40	1562	21.16	1457	18.61	1435	18.05
Craft & related trade workers	1302	16.95	1313	17.79	1266	16.17	1274	16.03
Plant & machine operators and assemblers	640	8.33	636	8.62	673	8.59	703	8.84
Elementary occupations	1773	23.09	1634	22.14	1767	22.56	1795	22.58
Armed forces occupations & unidentified occupations	50	0.65	30	0.41	41	0.52	44	0.55
Total employed	7680	100	7381	100	7831	100	7948	100

Source Sri Lanka Labour Force Survey (Department of Census and Statistics)

Table 9.4 Compulsory and optional subjects of the examinations (1833–1931)

<i>Non-competitive examination</i>	<i>Open-competitive examination</i>
<i>Compulsory subjects</i>	
1. English composition	1. Exercise designed to test handwriting and orthography
2. Accounts and bookkeeping	2. Arithmetic including vulgar and decimal fractions
3. Euclid books I–IV, and algebra	3. Latin and one of the following languages: Greek, French, Italian, or German
4. Geography	4. English composition including precise writing
<i>Optional subjects</i>	
1. Languages: Greek, Latin, French, German, Sanskrit	1. Pure and mixed mathematics
2. Modern history: British colonies and dependencies including India	2. Ancient or modern history and geography
3. Elements of constitutional and international law	3. Elements of constitutional and international law
4. Elements of political economy	4. Political economy
5. Civil engineering and surveying	5. Geology
	6. Civil engineering and surveying

Source Data extracted from W.A.W. Warnapala (1995). *Civil Service Administration in Ceylon: A Study in Bureaucratic Adaptation*. Colombo: University of Sri Jaywardenepura. pp. 49–51

They made significant discoveries about the customs, history, archaeology, languages, and literature of the island.¹

EARLY REFORMS OF THE PUBLIC PERSONNEL MANAGEMENT SYSTEM

The first significant public service reform was introduced in 1951 to improve organizational efficiency, recruitment, and training. Subsequent reforms took place in 1963, 1969, and 1972 to modernize administrative practices, while 1986 and 1994 were the most productive years for

¹John D'Oyly, George Turnour, William Tolfrey, R.C. Childers, T.W. Rhys Davids, and others were experts in the local languages and Buddhist literature, while Joseph Joinville, Edgar Layard, W.E. Wait, J. Emerson Tennen, H.C.P. Bell, Leonard Woolf and others did significant research on the history and the tradition of ancient Ceylon (Collins 1966, pp. 445–446).

reforms overall. Most of the early reforms mainly aimed at introducing limited structural and functional adjustments; the reformers tinkered with the existing public service administration instead of instigating pin-pointed or comprehensive changes (Wejeweera 1988). The 1960s and '70s was a period of transition, from the colonially patterned bureaucracy to independent Sri Lankan bureaucracy, with some significant changes being proposed even if they were not implemented until the 1980s.

In 1965, due to the increasingly poor performance of the public sector, the government that came to power created a number of institutions such as the Plan Implementation Committee and the Foreign Exchange Committee at the ministry level to improve quality, efficiency, and productivity. Deficiencies in public service performance prompted the appointment of a committee of secretaries to investigate and report on possible new financial regulations, tender procedures, and the organizational changes required in the context of development programmes (Nadarajah 1997).

The new government, which retained political power in 1971, created a separate ministry to administrate all public service affairs and matters. In 1972, the newly elected government promulgated the Republican Constitution which replaced the Soulbury Constitution of 1948. With this, the mechanisms of the Soulbury Constitution (i.e., the Independent Public Services Commission, the SSAB and State Services Discipline Board) to protect public service appointments, recruitment procedures, promotions, disciplinary action, and protection from political interference and influence were rescinded. The Republican Constitution assigned the cabinet of ministers the responsibility of appointing, transferring, dismissing, and disciplining state officers (Wijeweera 1988). It also provided that the decisions of the cabinet and of individual ministers who acted under delegated authority from the cabinet could not be questioned in a court of law. The subordination of the public service to the political authority transformed the independent public service to a politicized one. To give an example: Throughout the 1970s and the early '80s, on every occasion of recruiting teachers to the Department of Education, except in the case of science graduates whose supply was scarce, selections were based on the recommendations of politicians (De Silva 1993).

In the mid-1980s, three major events significantly affected the public service: the Provincial Councils were established, so also the Administrative Reform Committee (ARC), and the Restructuring

Management Unit (RMU) (Nadarajah 1997). The RMU was under the jurisdiction of the Ministry of Finance and Planning (MFP) even though the functions legally belonged to the Ministry of Public Administration. The RMU was manned by some visiting expatriate and non-governmental personnel. It existed for four years. As Nadarajah explains, along with urging that immediate action be taken to reduce overstaffing, inefficiency, and poor productivity in the public services, the RMU made four recommendations:

- To formulate a national policy on training
- To establish new subnational institutions called Management Development and Training Units
- To develop a new policy for recruitment based on merit and examinations, thus to replace the patronage system
- To revitalize the Sri Lanka Institute of Development Administration (SLIDA), enabling it to play a proactive role in changing public administration through training and consultancy

Some of these recommendations were accepted and worked out by the government, for instance, to enhance SLIDA's capacity to train personnel, introduce new techniques, and provide consultancy services to the public service. But even by the end of the 1980s, no remarkable change took place in the public service. But, by the early 1990s, there was an urgent need for increased efficiency. The government that assumed power in 1994 identified the existing reality of public service and tried to change the situation by complying with the requirements of modern development activities. Before we proceed to discuss the steps that were taken to bring change to the public service, it is worth understanding the factors that triggered the introduction of New Public Management (NPM) techniques to enhance the productivity, efficiency, effectiveness, and quality of the public sector.

NPM REFORMS AND THE PUBLIC SERVICE

Sri Lanka's public administration, at the time of independence in 1948, had some elements of good governance. It had a dedicated professional staff, a transparent regulatory system, and one of the lowest levels of corruption in South Asia. Through the course of the first 25 years, the public sector expanded to encompass publicly funded social welfare services,

poverty alleviation, and infrastructure through government agencies such as the Departments of Post and Telecommunication, the Road Development Authority, and so forth. State-owned enterprises were established to direct some sectors of the economy and to provide the key public goods and services.

Theoretically, the second Republican Constitution of 1978 was designed to apply neo-liberal changes to bring the country in line with what was happening elsewhere in the world. However, the administrative modifications necessary for the smooth progress of neo-liberal ideology were never introduced. Consequently, in 1994 NPM reforms were introduced mainly to overcome deficiencies in the public service and to bring the country's public administration in line with the global context.

But there is more to the background story for the NPM reforms. In 1986, President J.R. Jayawardanaas had appointed the ARC to carry out a comprehensive study of the public service. The ARC was tasked to identify the deficiencies and weaknesses and to make recommendations for how to overcome them. So the committee went ahead and identified three focal areas: the structure, the personnel system, and the work system and procedures (Administrative Reform Committee 1987, p. 4). Deficiencies in the personnel system related to the concept of representative bureaucracy. However, the ARC did not focus on this when it introduced reforms; instead, it acknowledged the overstaffing and insufficient salary and highlighted four major deficiencies and weaknesses:

- The problems in cadre management and the compensation structure in the public service
- The absence of a national training policy and the inadequacy of institutional arrangements in training and management development
- The lack of proper institutional mechanisms for carrying out the tasks of personnel management for a professional public service
- The absence of a scientifically and objectively selected multidisciplinary group of senior managers to provide leadership to the public service

The recommendations for how to overcome these problems were not put into operation until the early 1990s due to politico-administrative disturbances. In 1994, with the change in government, certain discussions were held regarding public administration reforms. As a result, that

same year the government began launching several intermittent reform programs with the financial and technical cooperation of the World Bank and the Asian Development Bank (ADB). Even though it is impossible to find a single coherent reform package during this period, the reform process was conceptualized within the neo-liberal ideology of NPM.

Major administrative reforms were needed to improve the efficiency, effectiveness, transparency, and responsiveness of the public service. The administrative mechanisms needed to be able to coordinate planning and the execution of policies, programmes, and projects, and to achieve institutional stability. To this end, it was also necessary to recruit highly motivated staff who would give their best. To make the reforms successful, long-term effort and commitment were required.

International pressure was another factor for why the government opted to implement NPM practices. One of the major areas emphasized by NPM to advance the public service was human resource development and the management of personnel.

NEW PUBLIC PERSONNEL MANAGEMENT

NPM reforms commenced under the sponsorship of the United Nations Development Programme (UNDP) and the ADB. They included financial management reforms, re-establishing an independent PSC, and setting up a Management Assistant Service. In 1994, the UNDP mission was terminated due to its failure to contribute to substantial change in the public service. The ADB mission was initiated in 1996, and it focused on reorganizing the public administration structures, rationalizing public sector carders, and introducing result-based management systems and procedures (pp. 204–205). The reform process had six major objectives (Roots and Vaughan 2001, pp. 1975–1978):

- To formulate strategic policies and to coordinate them in order to achieve effective policy outcomes
- To adopt a result-oriented philosophy as the guiding management principle
- To separate policy making, service delivery, and regulatory functions of government
- To realign responsibilities in order to support the goals of the government and to achieve them more effectively

- To train staff to respond more effectively to the new concerns in the environment and thereby to realize their potential
- To redevelop surplus staff, if any, to new functions within government, or to new opportunities in the private sector.

The reform programme included several sub-reforms, but all were meant to achieve the main objectives of the NPM programme. Most objectives were to be achieved through structural and procedural reforms, but some related to the responsiveness of public administration. Drastic change in public administration was envisaged, but after a decade of implementing the reforms, they had failed to achieve what they set out for (Samaratunga and Bennington 2002, p. 100). Nevertheless, some reforms completely changed the ideology of the public administration, inasmuch as the privatization of public enterprises was mainly aimed at having private entrepreneurs absorb certain costs and attend to certain financial and technical responsibilities which had thus far been the preserve of the government (Public Enterprises Reform Commission 2002, p. 2). This dramatically reduced the importance of the public sector. Other reforms, by contrast, were aimed at institutional and human resource modifications and at introducing information technology for public administration.

The human resource management reform was expected to reduce the number of cadres by introducing a voluntary early retirement plan with financial assistance. Sadly, no significant cadre reduction occurred during 1994–2004. The politicians responsible for activating this proposal saw it as threatening to reduce the possible number of votes they would receive in the next election: a reduction in personnel would definitely make public servants afraid of losing their jobs. The public servants and their trade unions would then organize their support in favour of the opposition. The politicians knew that the unions for public servants wanted to protect as many jobs as possible; they also knew the strategies the unions use for dealing with governments, so they were reluctant to implement such a reform, even though they formulated the policies under pressure from external bodies such as the UNDP. To exemplify: in 1994, the president promised that in the forthcoming general elections, if her party won, the government would recruit 10,000 university graduates to the public sector on a permanent basis. Her party did win, and as promised, 10,000 graduates were hired. Likewise, in 2004, the president made another election pledge that if her government retained power for another six

years, 40,000 graduates would be getting permanent positions in the public sector. After coming to power, the recruitment processes started and, as the initial step, more than 25,000 graduates were recruited to the public sector. This shows that reforms in the area of human resource management and in achieving the optimal size of the bureaucracy had become mere rhetoric, with no real intention to achieve the expected or initial goals. The failure to implement this reform recommendation also appears to have triggered a negative reaction from international sources that supported structural adjustment. As such, it is crucial that administrative reform be reprioritized.

The NPM reform programme sought to achieve a profound change in the government's method of operation. The public sector was to be paired back to its core functions such as policy formulation, general administration, and the provision of key services, with emphasis on achieving well-defined output objectives. Both the production and the delivery of goods and services that could be done by private entrepreneurs were to be privatized or decentralized to lower levels.

POLITICIZATION OF THE PUBLIC SERVICE

There is a basic incompatibility between, on one hand, Sri Lanka's socio-cultural orientation and the intentions of politicians who stand for the ethno-religious interests of the majority, and on the other hand, those who appreciate the colonial-English bureaucratic tradition. These groups came to loggerheads in the 1950s. As a result, the government was hostile to the bureaucracy, accusing it of being elitist, uninterested in the people's aspirations, and the major obstacle to realizing the socio-economic programs the government had prepared for the people's benefit. Although the public service was progressively involved in implementing the development programs, the government took measures to modernize it. According to Wijeweera, who has studied the transition from the Ceylon Civil Service to the present public service, the modernization demanded by the proposed changes of 1956 was painful but unavoidable; more specifically, it was intended to transform a law-and-order-oriented bureaucracy into an engine for social and economic change (Wijeweera 1988, p. 21).

The modernization process initiated in 1956 did not get very far due to the assassination of Bandaranaike in 1959. However, it involved an ideological awakening that continued to influence the country's

sociopolitical setup. Even with the growing mistrust of the public service, the government did not initially seek to politicize it; instead it continued the Ceylonization process.

Politicization of the public service categorically appeared with the introduction of the first Republic Constitution in 1972. This was undoubtedly a turning point in the political history of Sri Lanka because it was locally drafted in its entirety and terminated the compromises imposed under the Soulbury Constitution. More importantly, it made the country a free, sovereign, and independent republic. Although the constitution of 1972 primarily followed the Westminster model and differed from the basic cabinet system model in several respects, it did affect how the public service in Sri Lanka is administered.

Article 117 of the first Republican Constitution empowered cabinet ministers to appoint, dismiss, and discipline public service personnel. This was a decisive provision, never-before witnessed, and it deeply eroded every aspect of impartiality in the public service. The Board of Ministers was to discharge this power under the recommendations of the SSAB and the SSDB established under Articles 111 and 112. Meanwhile, the members of the SSAB and the SSDB were appointed by the president following the recommendations of the prime minister. In this context, the SSAB and the SSDB indirectly facilitated the political preferences of the government. Patronage appointments were thus systematically introduced in the public service.

The process of politicization culminated in the political elite subjugating the bureaucracy with the reforms it imposed, at the same time as it increased peoples' participation in the administration. The government of the United Front, which had a strong parliamentary majority, established workers' councils and advisory committees in the government departments and public enterprises, and the members of these bodies were elected on the basis of their active support for the ruling United Front Party (Wijeweera 1988, p. 52). Moreover, a system of people's committees was established for each ward of a local authority, so that people at the local level could contribute to formulating, implementing, and evaluating development programs. The aim was to enable the administration to be more responsive to the needs of the country and wishes of the people. The chairmen and members of these committees were appointed by a cabinet minister in consultation with the member of parliament for the given area, and the functions of the committees were confined to offer 'criticisms and advice' on the administrative process (*ibid.*).

These committees were not intended to absorb the authority of the administrative machinery, but were instead seen as necessary for introducing a more democratic process in the administrative machinery.

The politicization process appeared in the decentralized administration. Consequently, the Divisional Development Councils (DDCs) were established in 1971 as a first step to address the development objectives in a broader context, particularly, to lay the foundation for small-scale industries and to increase employment opportunities in rural areas. The DDCs operated under the chairmanship of the Divisional Revenue Officers with a wide membership of officials and non-officials, including the member of parliament of the area. Consequently, hundreds of projects were introduced but all suffered from lacking expertise and poor management and marketing (Wijeweera 1988, p. 54). The worst problem, however, was politicization of the DDCs' development activities.

The politicization process reached the peripheral part of the country in 1973 with the introduction of the District Political Authority system (DPA) and the Decentralized Budget system (DCB). With this, it became compulsory for the regional-level administration to be under the control of the political authority, thus reflecting the national-level administration. On the other hand, the Food Production Drive, which was a response to the food crisis and the state of emergency, intensified the need for cooperation between all the political parties and the administration. Consequently, the DPA was introduced to mobilize and direct the people and institutions in the district. It was also categorically stated that the administration should serve the political authority by coordinating the activities of the public service (Wijeweera 1988, p. 114). The district administration was therefore under the complete control of the DPA. An appointed political head of the district became the officer-in-charge on behalf of the government. Moreover, despite the national budget's provisions for regional development, the DCB was introduced at the same time to facilitate the DPA.

The government of the United Front introduced a comprehensive line-up of politicization within the public service, which inescapably linked its practices to political consent from the government. As stated, while this was seen as a path leading to a more democratic process, it was also strongly criticized as being a result of internal suspicion of the coalition government, which had compromised the professionalism of the public service through recruiting people who did the bidding of the political authority. As the politicization process progressed, it obliterated

the substance of a system of representative bureaucracy. When the second Republican Constitution of 1978 was promulgated, it brought the same result but in a different structure. According to its Articles 30 (1) and (2), the excessive power of the president as the head of the state as well as of the government has made the public service an instrument for carrying out the president's political will.

Needless to say, the president deeply influences every phase of administration, which intensifies the extent of politicization in the public service. However, in order to limit the president's power over the public service, the 17th amendment was introduced in 2001. According to this amendment, the Constitutional Council should recommend suitable candidates for the selected commissions and offices, including the PSC.² Nevertheless, due to political discrepancies, problems arose when the council members were chosen, so the amendment did not succeed. The 18th amendment was made in 2010. It replaced the foregoing amendment by appointing a Parliamentary Commission similar to the foregoing Constitutional Council, but with direct nominees from the ruling party who represent the political aspirations of the president.³

It is evident that the second Republican Constitution of 1978 granted excessive power to the president to exercise functions of office without checks and balances of any government institution. As a result, the president can influence every step of politico-administrative decision-making in favour of his or her position as the head of the ruling party and the government. This constitution has therefore dramatically intensified the process of politicization in comparison to the attempts made in the 1950s, 1960s, and 1972.

²The Constitutional Council consists of the prime minister, the speaker, the leader of the opposition in parliament, one person appointed by the president, and five persons appointed by the president on the nomination of both the prime minister and the leader of the opposition. There is also one person nominated upon agreement by the majority of the members of parliament, and he or she belongs to a political party or group which is different from that of either the prime minister or the leader of the opposition.

³The Parliamentary Council consists of the prime minister, the speaker, the leader of the opposition, a nominee of the prime minister who is a member of parliament, and a nominee of the leader of the opposition who is also a member of parliament.

CONCLUSION

This chapter has attempted to analyse the historical development of Sri Lanka's public service in general and its public personnel management, in particular. Three phases can be identified: the precolonial, the colonial, and the postcolonial phase. During the precolonial phase, public service functioned within a highly centralized context. Most features of the system were based on traditional social values and attitudes. Insofar as monarchs used the public service to strengthen their power in every nook and corner of the country, no modern democratic values and principles were imbedded in the system. In the colonial phase, some basic prerequisites for professional public administration were introduced, examples being merit-based recruitment and promotion, political neutrality, and responsiveness. In the postcolonial phase, the public service system seems to have gone in a precolonial direction. Several attempts have been made to improve the system through various reform programs and constitutional amendments. However, this study argues that these changes were aimed at regulating the outer layer of the public service without concentrating much on the internal processes and actors.

The discussion also elaborated that constitutional provisions in 1972 and 1978 have enabled politicization across the spectrum of public service. But this does not imply that during the colonial period, the public service was not engaged in political activities. Indeed it was, but the political officers did not formulate and implement policies for sake of self-fulfilment, nor did public servants aim primarily to please politicians. But this is precisely what happened in the postcolonial period.

Constitutional reforms in the 1930s, independence, political change in 1956, and the politicization of administration in the 1970s and onward have not been able to stamp out highly questionable practices in Sri Lanka's public service. The post-independence administrative reforms have focused on broad structural and functional adjustment; they have not been aimed to ensure human resource development in the public service.

To conclude, this study emphasizes that the political leadership is supposed to make visionary decisions in order to accomplish the intended objectives of reforms. According to the findings, it seems that the implemented reforms have mostly been based on political considerations and interests rather than on the goal of wider social and economic advancement. Lastly, this study has found a mismatch between the transformation in public service globally, and the snail-paced development of public service in Sri Lanka.

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The Administrative System in Bangladesh: Reform Initiatives with Failed Outcomes

Pranab Kumar Panday

The public administrative system of Bangladesh originated in the sixteenth century. It was advanced and imbued with a spirit of imperial service, executing the will of the Mughal emperor in the rural region (GoB 2000; Keuleers 2004; Khan 2005; World Bank 1996). Today, however, in post-colonial Bangladesh, the legacy of the British colonial administration shapes the character of the country's civil service and continues to make an impact on the structure of its administrative system (World Bank 1996; Khan 1998). The British were replaced by the Pakistanis in 1947, who ruled the country until 1971. Although Bangladesh became independent in 1971, through a bloody war of independence, the colonial imprint is still visible in the political and administrative arrangement. While the British established the bureaucracy as an essential tool of governance, it is alleged that the country adopted the tradition of power politics from the Pakistanis (Huque 1995). The evolution of the structure and philosophy of Bangladesh's public administration has also been greatly influenced by the ancient *samaj* (village society) (Jamil 2007) and by the waves of public administrative reforms

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that were inspired by the principles of New Public Management (NPM) in the 1980s and 1990s (Massey 1997). With this as a brief background, the chapter provides an overview of the administrative structure of the country, highlighting administrative reforms, NPM principles, and major challenges of administration reform.

ADMINISTRATIVE SYSTEM IN BANGLADESH

Bangladesh adopted a parliamentary form of government soon after gaining independence; the president was the head of state, and the prime minister was the head of government. In order to face the mounting economic, social, and political crises, one-party rule headed by the president was established through the fourth constitutional amendment in 1975 (Ahmed 1980, cited in Sarker 2004). The system did not last long, however, as the government was violently ousted by a group of military officers in August 1975. The country was ruled by military and quasi-military regimes from August 1975 to December 1991, when a popular uprising dethroned the military dictator, General Ershad. After the fall of Ershad, the system of government was changed into a parliamentary form through a constitutional amendment in 1991 (Sarker 1991). Since then, the country has been ruled by a parliamentary form of government.

Structure and roles of the central government Bangladesh is administered through a two-tier system. The central secretariat is the apex tier stationed at the national level. It consists of the ministries, and its divisions provide policies and carry out clearinghouse functions. The second tier consists of line departments and directorates that are attached to the ministries and divisions. Issues relating to general administration, service delivery to citizens, and implementation of various development programmes at the sub-national level are taken care of by these bodies (Ahmed 2002).

The ministries are hierarchically organized. The political head of each ministry is a minister, while the administrative or executive head of each ministry is a secretary (or an additional secretary in the absence of a secretary). The supervision of any given division in a ministry—including its routine operations, the overseeing of staff and organizational processes—is the main responsibility of the administrative head. This person also advises the minister on matters relating to policy and administrative

issues. A division contains several wings, each of which is led by a joint secretary. Each wing has the power to submit cases directly to the minister for decisions. However, the usual practice is that all cases are placed before the minister through the secretary/additional secretary. Each wing contains a number of branches, and each branch is headed by a deputy secretary. Under the branch level, there are several sections, and an assistant secretary takes charge of the personnel in each one (Zafarullah 1988).

The preparation of a master plan for implementing decisions made by a ministry remains the responsibility of a number of departments attached to the ministry/division. The ministry/division is also assisted by these departments wherever any technical information and advice are required. Decisions about the appointment of officials for providing direction to the departments or directorates depend on the level of importance of the departments. For instance, some departments are directed by an official enjoying the pay grade and benefits of a secretary, while other departments are overseen by officials with the rank of a deputy secretary, joint secretary, or additional secretary (Ahmed 2002).

There are four classes of officials in Bangladesh's civil service: 'Gazetted' officers belong to Class I grade and are recruited under 27 cadres.¹ Others considered as 'non-gazetted' officers (Ahmed 2002) usually work in functional areas without belonging to a particular cadre. Officials are recruited by the Public Service Commission (PSC), based on the demands of the Ministry of Establishment, which is the main ministry to make decisions on personnel policy and the functions of the administration cadre within the civil service (DFID 2004).

Below the national level, there are field units of administration working throughout the country. These units are hierarchically organized as divisions, districts, and *upazilas* (field-level administrative units below the district level). At present, there are eight divisions in the country. Their main functions are to guide and supervise the district administration, ensure coordination of different activities at the district level, and hear appeals on the decisions of district revenue officials on matters relating to revenue (Ahmed 1974, 1986).

¹Retrieved from <http://www.bpsc.gov.bd/site/page/4bc95017-18d6-412b-8c4f-76d3e1599d8c/%E0%A6%AC%E0%A6%BF%E0%A6%B8%E0%A6%BF%E0%A6%8F%E0%A6%B8%E0%A6%AA%E0%A6%B0%E0%A7%80%E0%A6%95%E0%A7%8D%E0%A6%B7%E0%A6%BE>, on 18 August 2017.

Below the division level, there are districts that carry out core functions of state administration (Ahmed 1982). These functions include collecting land revenues, maintaining law and order, stimulating economic development, coordinating all government activities relating to ‘nation-building’, and encouraging and collaborating with local government initiatives (Ahmed 1974, 1982). The *upazilas* are the lowest tier of field administration, and their administrative pattern is similar to that of the districts. Most of the important functions—including general administration, magistracy, revenue administration, and the coordination of development activities at division, district, and *upazila* (sub-district) levels—remain under the jurisdiction of the generalist-class officials of the civil service, while development offices and specialist services are taken care of by professional and technical cadre officials (Ahmed 1974). Figure 10.1 illustrates the main components in the administrative structure of Bangladesh.

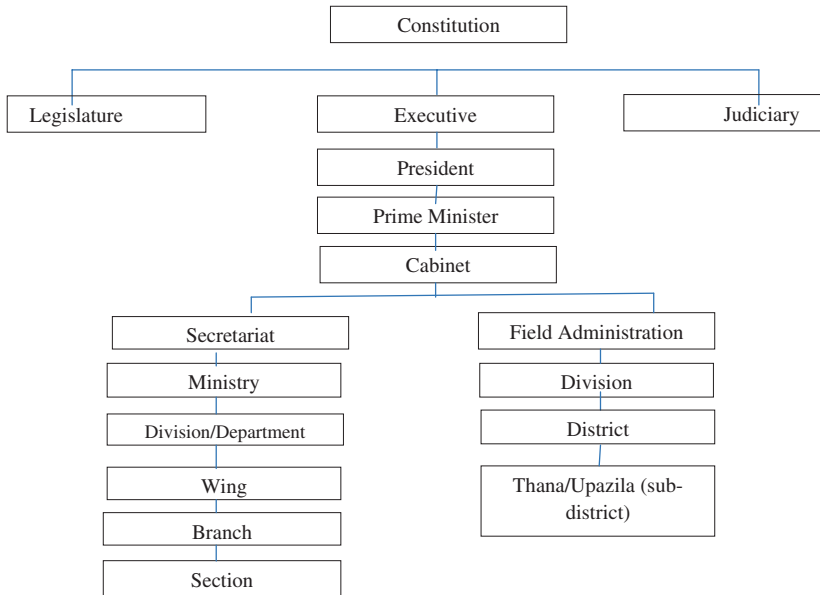


Fig. 10.1 Administrative structure in Bangladesh (Source Modified from Kalimullah et al. 2013)

Structure and roles of local government To strengthen local government has been a priority for all the governments since independence. Accordingly, clear direction was given in the Constitution of 1972, on the issue of establishing strong local government in the country. Article 59 of the Constitution of 1972 specifies that ‘local government in every administrative unit of the Republic shall be entrusted to bodies composed of persons elected in accordance with law’, while article 60 instructs that ‘for the purpose of giving full effect to the provision of article 59, Parliament shall, by law, confer powers on the local government bodies referred to in that article including power to impose taxes for local purposes, to prepare their budgets and to maintain funds’ (The Constitution of Bangladesh 1991, p. 43).

At present, a three-tier local government system exists in rural areas. The top tier consists of the *Zila Parishads* (ZP-district councils) (64), the second tier consists of the *Upazilla Parishads* (489) (sub-district councils) (UZP), while the *Union Parishads* (UP-union councils) (4554) comprise the lowest tier. Just as with the rural local government, the urban government is comprised of different types of administrative bodies. Eleven big cities have city corporations,² while other urban areas have *pourashavas* (like municipalities). There are altogether 398 *pourashavas*, and they are classified into A, B, and C, depending on their capacity to generate income (Fox and Menon 2008). Apart from these bodies, some urban centers are administered by the military Cantonment Board. Figure 10.2 shows the structure of local government in Bangladesh.

According to convention, specific (and limited) development functions have remained under the jurisdiction of the local government, while the control of the regular administration has remained under the purview of central government officials stationed at the local level (Hussain et al. 1994). Moreover, different agencies of the national government take care of matters such as family welfare, education, public health, social welfare, and so forth. As a matter of fact, there is no scope for the *upazilla* or *union parishads* to be involved in implementing projects initiated by these national government agencies at the local level. Most importantly: While there is little clarity in the definition of the relationship between local governments and various government

²The eleven city corporations are Dhaka North, Dhaka South, Chittagong, Rajshahi, Khulna, Barisal, Sylhet, Comilla, Narayanganj, Gazipur, and Rangpur.

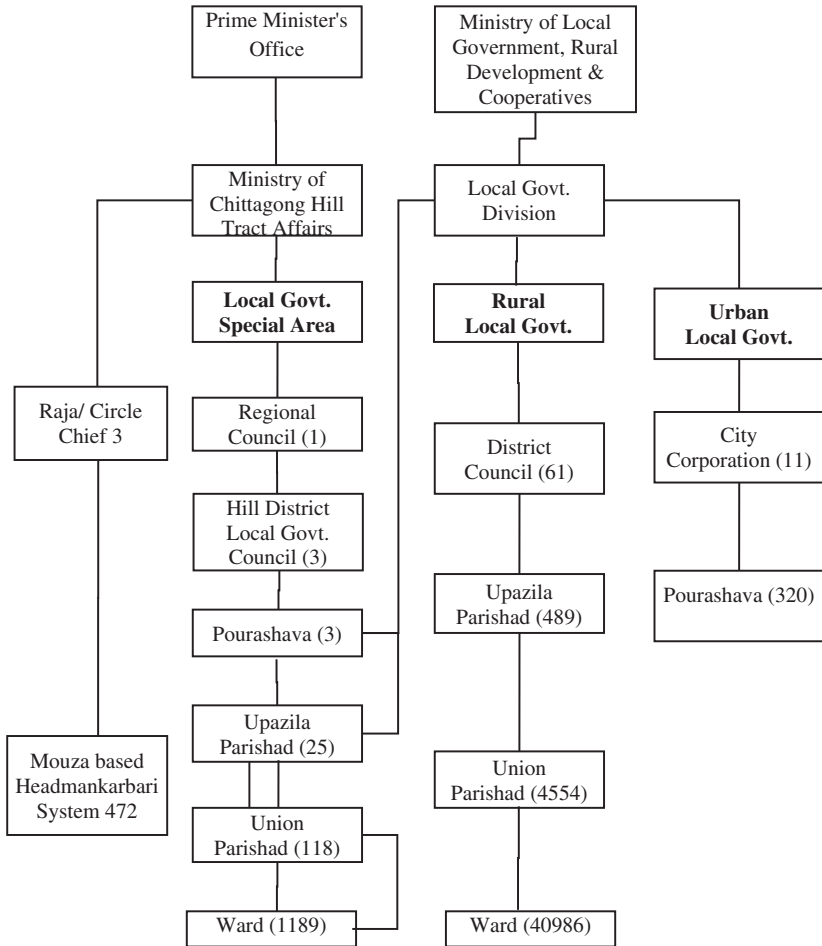


Fig. 10.2 Existing structure of local government in Bangladesh. Adopted and modified from Ahmed (1998) and Panday (2011)

departments (Panday 2011), one of the most important functions of local governments is to develop local-level infrastructure. Local government units, however, are not entirely independent in selecting development projects, since the projects they select require approval from the chief administrative officer of a sub-district in consultation with the

upazila engineer and the project implementation officer. This is indicative of the fact that local government units have been restricted in the area of development-related administration (Khan 2000).

ADMINISTRATIVE REFORMS IN BANGLADESH: A BRIEF REVIEW

The idea of trying to create *one* ideal type of administrative structure and arrangement is neither practical nor possible, since every system has its advantages and disadvantages. Reforms are instead initiated with the intention of bringing about a specific type of change in an administrative system, the idea being to confront unique types of problems and challenges. To make sure that the intended objectives of reforms are attained, their planning and design must take into consideration the needs of the time, the pressure from the environment, and the intention and capability of the given system (Szanton 1981; Caiden 1991). But there are also other factors that influence the goals and processes of reforms, for instance, powerful countries, financial institutions, and international agencies that have their own ideas and agendas regarding the nature and direction of the changes that should be made.

In Bangladesh as in other countries, the issue of administrative reform is not new. Since independence in 1971, different governments have initiated reforms with the aim of reorganizing the administrative system and making it more capable of meeting the needs of their respective policy directives. Thus, far, no reforms have produced desired changes as expected in the overall structure of the administrative system (Kim and Monem 2009). Until now, as many as 17 reform commissions or committees have been set up to reorganize the civil service and public sector (see Appendix 1). For the sake of discussion, an attempt is made in this paper to discuss the major reform initiatives that are considered most important to the administrative system of Bangladesh. The selected reform initiatives are divided into two categories: reform initiatives from 1971 to 1990 and reforms after 1991.

Reform initiatives from 1971 to 1990 The first reform initiative after Bangladesh gained independence was proposed by the Civil Administration Restoration Committee (CARC). Formed in 1971, this committee was entrusted with the responsibility to identify priorities and mechanisms of restoring the administrative system that had collapsed during the war of liberation. CARC came up with the recommendation

to reform the secretariat with 20 ministries and to reinstate field administration. This committee also recommended setting up a number of constitutional bodies. Scholarly analysis suggests that CARC followed the Pakistani model and tradition when it formulated its recommendations (Khan 1998; Huque 2010). Thus, nothing trailblazing was noticed in the recommendations.

In 1972, the Administrative Service Reorganizing Committee (ASRC) was set up. This was in response to pressure from reformists within the ruling party, the intellectual community, and political leaders who had long adhered to the colonial-style bureaucratic system. Being influenced by the 'new social philosophy of the state that focused on nationalism, secularism, democracy and socialism' (Khan and Zafarullah 2005), this committee produced a detailed review of the public administration system. The outcome of the review was to recommend some advanced-level measures regarding how the bureaucracy worked. The ASRC's major recommendations included a single classless grading structure, professionally oriented functional categories, and a decentralized governmental structure oriented towards demarcating the jurisdiction and power of the central and subnational government bodies (ASRC 1973, cited in Zafarullah 1987). The ASRC and its reform plan created an opportunity to break with the past through strengthening the bureaucracy. However, due to bureaucratic resistance, a lack of commitment by the national government, and for political and economic reasons a modern, it proved impossible to develop a professional and citizen-oriented civil service (Khan 1998; Huque 2010; Khan and Zafarullah 1982).

After the ASRC, there was no reform initiative in the country until 1976. This was when the Pay and Service Commission (P&SC) was established in order to examine the existing pay and service structure of the civil service, its method of recruitment, training, and deployment. The revision of rational and simple principles for merging civil service bodies or agencies that were performing similar duties and functions (these were remnants of the erstwhile Pakistani Central and East Pakistani provincial governments) was also an important responsibility of the P&SC (GoB 1977). This commission, after analyzing the existing system, recommended replacing patronage with merit-based appointments through competitive civil service examinations. It also recommended creating a Senior Service Pool (SSP), which was considered a significant step towards further strengthening the generalist civil servants' control over the administrative system (Zafarullah et al. 2001).

Through the P&SC's recommendations, the dream of senior administrative figures, namely, to gain authority and prestige similar to that of the colonial rulers, was materialized (Azizuddin 2011).

After the fall of General Ziaur Rahman, a second military regime, this time led by General H. M. Ershad, ruled the country from 1982 to 1990. General Ershad formed a high-power administrative-reform committee called the Martial Law Committee (MLC). This committee was asked to scrutinize the organizational structure of ministries, divisions, directorates, and other government organizations. Among other responsibilities, the MLC was asked (1) to review the charter of duties of the various public offices; (2) to scrutinize the existing and sanctioned manpower; and (3) to rationalize the organization and functions of the ministries, divisions, directorates, and other organizations (Khan 1991, 1998). One notable recommendation of the MLC was to downsize the number of ministries, departments, directorates, and subordinate agencies. The number of ministries was thus reduced from 36 to 10, while the number of departments, directorates, and subordinates was reduced from 243 to 181 (Khan 1998). However, with regard to the basic problems of bureaucracy, no significant initiative was pursued, and little progress was made because the government shifted its focus to other problems (Huque 2010).

The issue of local government was also addressed by the military regime of General Ershad, who set up the Committee for Administrative Reform and Reorganization (CARR) in 1982. Its purpose was to recommend 'an appropriate, sound and effective administrative system based on the spirit of devolution and the objective of taking the administration nearer to the people' (GoB 1982, p. 1). CARR was assigned the special task of recommending measures for reorganizing administration and institutionalizing the local government system in the country (Azizuddin 2011). With this initiative, democratization of the governance system at the local and subnational levels was at the forefront of discussion (Khan 1998). Based on CARR's recommendations, *Upazila Parishad* was instituted at the *upazila* level (a field-level administrative unit below the district), under the leadership of an elected representative. Although limited in scale, this was the first time that democratic governance was introduced at the *upazila* level (Rahman 1994, cited in Sarker 2004). The initiative failed, however, because it was not properly conceived by the state power. Instead of facilitating local power or participation—something necessary for overturning the tradition of centralized

administration—the arrangement turned into an extension of the central government bureaucracy through adding a new layer of administrative agencies at the sub-district level (Huque 2010).

Reform initiatives since 1991 With the intention of embracing the concept of New Public Management (NPM), the government of Bangladesh set up the Public Administration Reform Commission (PARC) in January 1997. Its guiding principle was to use good governance as a means for socio-economic development. The PARC recommended measures for ensuring transparency, accountability, efficiency, effectiveness, and dynamism, also institutional and procedural changes necessary for attracting investment and improving service delivery to ensure value for money, and so on. These recommendations were made in line with the principles of NPM (GoB 2000). Through its recommendations submitted in June 2000, the commission suggested legal, regulatory, and procedural changes necessary to implement reform proposals (cited in Kalimullah et al. 2013). The PARC report indicated that despite several reform initiatives over the past years, there had been very little change in the governance system inherited from the colonial era (Huque 2010). Influenced by the spirit of NPM, the commission made 70 short-term and 37 long-term recommendations (GoB 2000). However, since only a few of the recommendations were actually implemented, the result was more or less status quo in the exercise of administrative practices (Jahan 2006). Based on the above discussion, the major administrative reforms and their outcomes are presented in Table 10.1.

The review of literature on the administrative reforms suggests that the government's lack of commitment and strong bureaucratic resistance have hindered the success of reform efforts. The reformers tried to provide technical solutions to problems, but they neglected sociopolitical dimensions (World Bank 2002). Some significant changes in the civil service system were nevertheless achieved through the recommendations of the P&SC in 1977. 28 Class 1 cadres under 14 main cadres were formed in 1981, and the SSPas an apex body was established—although it was abolished in 1989. One major hindrance to changing the bureaucracy through administrative reforms is that even to this day, there is no efficient, able, energetic, dynamic, and effective administrative apparatus capable of operationalizing and implementing the necessary reforms. Morshed makes an interesting comment about administrative reform efforts in Bangladesh:

Table 10.1 Major administrative reform initiatives in Bangladesh

<i>Period</i>	<i>Reform committee/ Commission</i>	<i>Main focus</i>	<i>Outcome</i>
Reform efforts from 1971 to 1991	Civil Administration Restoration Committee (CARC), 1971	Restoration and continuity of the government	Continuation of the previous pattern
	Administrative Service Reorganizing Committee (ASRC), 1972	Structural change of bureaucracy	Shelving of the report
	Pay and Service Commission (P&SC), 1976	Strengthening bureaucratic elites, services structure and pay issues	Creation of elite class of bureaucrats
	Martial Law Committee, 1982	Organization and rationalization of manpower in public sector organizations	Implementation of limited action
	The Committee for Administrative Reorganization/Reform (CARR), 1983	Decentralization	Continuation of central control
Reform efforts after 1991	Public Administration Reform Committee (PARC), 1997 (recommendations made in 2000)	Administrative change and development based on New Public Management	Very few NPM-based changes took place

Source Adopted and modified from Huque (2010) and Ali (2010)

[I]t is an irony that only bureaucrats—whether present or former—were included as chairmen and members in all the commissions and committees which were constituted by the government from time to time for examining, evaluating and improving public administration who used those commissions and committees only to safeguard their own interest. (Morshed 1997, p. 130, cited in Jahan 2006, p. 8)

According to Morshed, innovative ideas could not be successfully implemented because all the committees were headed by bureaucrats who were more or less negative towards change. As an outcome, reform

efforts were either resisted by them, or impediments were created in the process of their implementation.

NEW PUBLIC MANAGEMENT AND PUBLIC ADMINISTRATION REFORMS IN BANGLADESH

Today, public sector reform has gained paramount importance amongst the international community. It is seen as a tool to cope with economic, institutional, and ideological change, and as a means for responding to the criticism of inefficiency and cost *ineffectiveness* in public sectors (Bennington and Cummane 2000; Huges 1998; Ferdousi and Qin 2013). NPM has emerged in Organization for Economic Co-operation and Development (OECD) countries as part of the debate surrounding reforms (Huges 1998; Osborne and Gaebler 1993; Pollitt 1995). It has been used by governments since the 1980s to improve and modernize public services. The main premise for applying NPM principles is that the more market-oriented the public sector is, the greater the cost-efficiency for government, and the less possibility of having negative side effects on other objectives and considerations (Ferdousi and Qin 2013). Kickert (1997) state that the new paradigm for public management has eight fundamental characteristics or elements: (1) it strengthens steering functions at the center; (2) devolves authority and provides flexibility; (3) ensures performance, control, and accountability; (4) improves the management of human resources; (5) optimizes information technology; (6) develops competition and choice; (7) improves the quality of regulation; and (8) provides responsive service.

But this does not necessarily mean that a state opting for NPM must incorporate all eight elements. Rather, it has been observed that countries have chosen those elements that already have some resemblance to their existing administrative setting, economic and social conditions, and culture of governance. The countries that have been experimenting with NPM approaches and mechanisms have found it to be an embryonic concept that can provide policy guidance to the government through stakeholders' councils (e.g., Japan's 'deliberative councils') for the management of sectors, industries, and issues (Government of India 2009). In continuation of the debates and discussions about NPM, some developing countries started adopting selected elements of NPM in the 1990s (Government of India 2009; Common 1998). However, the

effectiveness of the implementation process in developing countries is still being evaluated (Ferdousi and Qin 2013).

Like other developing countries, Bangladesh has understood the need to modernize its public administration system, which is not ranked highly in terms of efficiency. The inefficiency has caused embarrassment, not only to the national government, but also to the international donors who fund a range of projects under different programmes. In order to generate efficiency and effectiveness in the public administration system, NPM-based reform strategies have been suggested by various academics, development practitioners, and international donors. The foregoing review of the recommendations of different reform commissions suggests that NPM-inspired elements have been seen as relevant (Ferdousi and Qin 2013) (see Table 10.2 for more detail). Among the recommendations that uphold the spirit of NPM, one can mention the privatization of public enterprises, contracting out for public services, users' fees, a reduction of manpower in the public sector, merit-based public service appointments, professionalism, performance standards, a citizens' charter, a market-based salary structure, the devolution of authority to local elected bodies, e-governance, and efforts to combat corruption (Government of Bangladesh 2000, cited in Ferdousi and Qin 2013). Also encouraging is that the present government treats information technology as very important. This also accords with NPM principles.

In sum, although Bangladesh's different governments have tried to introduce reforms in public management, significant results have not been achieved. As a matter of fact, most of the governments have either manipulated the reform outcomes or remained silent in order to maintain the status quo. Huge resources have been used to review the system and make recommendations that have never materialized. NPM as a strategy to overcome public sector inefficiency has never actually been implemented.

CHALLENGES OF ADMINISTRATIVE REFORMS IN BANGLADESH

The experience of administrative reforms since 2000 is not very encouraging, for no government has made any significant attempt after PARC (1997) to implement NPM elements in the administrative system. A review of literature on administrative reforms and NPM in

Table 10.2 Important administrative reforms in Bangladesh with overtones of NPM

<i>Committees/Commissions/ Study groups</i>	<i>Focus</i>	<i>Recommendations</i>
Martial Committee on Examining Organizational Set-up of Ministries, Divisions, Directorates and Other Organizations, 1982	Reorganization and rationalization of manpower in public organizations	Reduce the size of the government; reduce layers for decision-making; delegate administrative and financial power down the hierarchy
UNDP-Sponsored Public Administration Sector Study, 1993	Civil service	Performance management system; rationalize civil service structure; eliminate redundant government functions; select and promote civil servants based on merit; strengthen the Public Service Commission
World Bank Study: Bangladesh Government that Works, Reforming the Public Sector, 1996	Civil service, public enterprise, NGOs	Redefine frontiers of the public sector; enhance the level and nature of accountability and responsiveness of public organizations to different stakeholders; streamline regulations, laws and processes; maintain an efficient, committed, and professional public service
Public Administration Reform Commission, 2000	Administrative structure for improving the quality and standard of service, transparency, and efficiency	Determine the missions of public offices; improve the delivery of services; reform the civil service; form professional policymaking group (senior management pool); reorganize institutions and rationalize manpower; restructure field administration and decentralize; establish an independent commission to combat corruption; establish a criminal justice commission; establish the Office of Ombudsman; reduce waste and promote value for money; strengthen parliamentary oversight; facilitate private investment

Source Adopted from Ferdousi and Qin (2013)

Bangladesh suggests that there are eight key factors that can impede the implementation.

The role the state The role of the state in implementing reforms has been discussed from four perspectives: lack of political commitment, institutional incapacity, technical incapacity, and administrative incapacity. It is taken for granted that without the commitment of political leadership, it is neither possible nor feasible to implement administrative reform, since political leaders have the ultimate authority to decide on issues relating to reform. Unfortunately, Bangladeshi leaders in the last 40 years have not been keen to revamp the administrative system (Khan 1998; Sarker 2004). ‘Administrative reform’ has been a slogan of electoral campaigns, but it has never become a reality once a political party has assumed power (Sarker 2004).

Along with political commitment, the capacity of a government to actually implement reforms also plays an important role in the reform process. The successive Bangladeshi governments have failed to demonstrate institutional capacity, and this, on many occasions, has resulted in unsuccessful reform efforts (Sarker 2004). The state’s institutional structure is marked by deteriorating law and order—a situation which causes the public to suffer in all areas. Rules and regulations are broken by agencies who instead serve their own interests. Regulatory bodies, which fail to maintain law and order according to their mandate, engage in corrupt practices and underhanded dealings with criminals. They also succumb to pressure from politicians. The judicial system faces fundamental procedural problems that result in a lack of initiative on the part of the government to plan for any comprehensive administrative system.

The neutrality of the government has been reduced due to the existence of patron–client relationships in politics. Khan (1989, p. 61, cited in Sarker 2004), while identifying the nature of Bangladeshi politics, states that ‘examples from politics are easy to give, as Bangladeshi politics is largely a process of intermediaries gaining access to resources by organizing pressure’. Furthermore: ‘Just as clientelist organization within an enterprise can lead to a pay-off under appropriate circumstances, state decision-makers too, at all levels of state machinery, are susceptible to the challenges of clientelist lobbies and would under appropriate circumstances agree to a pay-off’. Khan points out in this same passage that succumbing to pressure from organized groups and clients causes the

state's technical capacity to be reduced to the point where the state cannot implement progressive reforms.

Due to administrative incapacity, the government has failed to provide basic and efficient goods and services, economic infrastructure, and law and order. These failures negatively affect the government's resolve to overhaul the administrative system.

The role of bureaucracy As stated, the role of public bureaucracy is very important in implementing any type of reform. In the context of Bangladesh, reform efforts have been hampered by strong resistance from senior bureaucrats. There are two dimensions to this: First, the power to implement successful reforms is concentrated in the hands of bureaucrats. Second, once the bureaucrats take control of the reform process, they can adopt a non-cooperative approach or a go-slow approach (Jahan 2006). The intensity of resistance to the reform process is high when the civil service's status is threatened. The 'Rules of Business' followed by Bangladesh's civil service could be cited as an example of bureaucratic resistance to change. Although the rules were enacted in 1975, and despite revision from time to time the bureaucratic bodies have successfully resisted any attempt that could challenge their status and centralized character (Siddiqui 2006; Jahan 2006). The same situation applies to decentralization attempts by the successive governments. Despite several attempts to devolve power to the local level, the bureaucracy has successfully hindered all attempts to enable the wider populace's participation in the decision-making process (Morshed 1997; Jahan 2006).

Lack of consensus amongst the political parties One colossal challenge faced by Bangladesh's public administration is the lack of consensus between the government and other political parties on many vital issues affecting the wider population. The government by the ruling party, however, always has the advantage, since it dominates the legislature which has given it the power to formulate and enact any rule and law (Huque and Ahmed 1992). As a result, a steady and striking development has yet to take place in the country's public administration system.

Lack of inclusiveness in the decision-making process Another important challenge is that stakeholders do not have any access to the

decision-making process. Those with power to make decisions are all at the top of the hierarchy, and they may be unaware of the situation prevailing at the lower level. A recent case of agitation by different groups of employees in protest of the 10th pay scale is a classic example that substantiates the need to consult stakeholders in the decision-making process. If the process had been inclusive, this type of situation would not arise.

Inter-cadre conflict in the public service The existence of inter-cadre conflict is nothing new in Bangladesh's public administration. Just as in other countries, generalist-specialist conflicts have negatively affected the growth and development of public bureaucracy. Traditionally, the generalist officials occupy advantageous positions and exercise executive authority, in contrast to specialist officials whose authority and power are restricted to technical matters. Specialist officials' dissatisfaction stems from the fact that while all important positions of the secretariat are occupied by generalist officials, technical matters requiring a substantial amount of expertise are also dealt with by the generalists (Huque and Ahmed 1992). This type of cadre conflict does not generate a healthy environment in the public administrative system.

Politicization of public administration The hoped-for norm of bureaucratic independence relates to neutrality and integrity (Sossin 2005). If a bureaucracy is subject to political influence, its ability to safeguard the public interest and to exercise its authority will be impeded. The political and ideological neutrality of bureaucrats helps them to be objective when they advise both the government and service recipients. The morale, efficiency and effectiveness of the civil service can reduce political bias (Jahan 2006). But just as in other developing countries, the politicization of bureaucracy is a dominant feature of Bangladesh's public administration. It makes bureaucrats incapable of functioning freely from political pressure and influence. Thus, efforts to bring change to the administration through reforms have failed to exert any positive influence on the service (Huque 2011). Although the process of politicization started in the post-independent period, it became acute during the military and semi-military regimes. Unfortunately, the process did not stop after the restoration of democracy in 1991. It has now reached a massive scale and has changed the relationship between bureaucrats and political leaders (Huque and Taiabur Rahman 2003, pp. 404–405; Jahan and Shahan

2008, p. 308; Rashid 2014). In this changed relationship, political leaders have become dependent on bureaucrats who guide them in the operation of their business. But of course, the bureaucrats do not want to advise the political leaders to do things that would require massive changes in the administrative system. As a result, no major changes take place.

Lack of civic engagement Genuine civic engagement is not seen in Bangladesh's public administration (Sarker 2009). Despite it being crucial to consult stakeholders and to get them to participate in implementing reforms, public servants remain reticent to engage with the public in this process (Zafarullah and Huque 2001). Since policymaking in Bangladesh does not follow a deliberative and consultative approach, there is little scope for popular participation in it. Even when stakeholders are consulted, the possibility that their opinions will be taken into account is very limited (Rashid 2014). Lack of consultation and civic engagement weakens the institutional capacity to initiate changes in the administrative system. Along with engaging with stakeholders, bureaucrats need to consult with think tanks and NGOs; these organizations have done research on diverse issues in the society and could provide important policy guidelines and recommendations (Rashid 2014).

Low capacity of public servants The success of any administrative system depends largely on the capacity of its administrative personnel. Individual skills and expertise, organizational capability, and strong leadership are all factors that contribute to developing and establishing policy capacities. Administrative agencies should possess in-depth knowledge about the various aspects of state affairs and the issues they deal with (Zafarullah and Rahman 2008). Bureaucrats in Bangladesh are criticized for having a low level of knowledge and insufficient skills to perform their responsibilities; they lack a proper understanding of their duties and responsibilities, and they lack knowledge of rules and procedures (Zafarullah and Rahman 2008). This situation has mostly resulted from the politicization of the recruitment process over the last three decades. It means that underqualified and absolutely unqualified party activists and supporters have been given important positions. The PSC that conducts the recruitment process has been highly criticized for being corrupt and politicized. In addition to this, it has become common for the civil service examination questions to be leaked in advance of the tests being administered. The result is that different preliminary and oral

examinations have been cancelled (Jahan and Shahan 2008). All these factors have contributed to the declining capacity of public servants.

DISCUSSION AND CONCLUSION

The World Bank's study (1996) has stressed the need to redefine the frontiers of Bangladesh's public sector by giving opportunities for participation to the private sector and non-governmental organizations. In order to reconstruct the public administration system as an efficient, committed, and professional public service, it has been seen as important to enhance the level and nature of accountability and responsiveness, to streamline regulations and laws, and to overhaul rules and processes. In line with the observations of the World Bank study, the Public Administration Reform Commission, in 1997, recommended a number of measures that contained NPM overtones (GoB 2000).

A comprehensive NPM-based reform is in fact a dire necessity in order to enhance the efficiency of Bangladesh's administrative system. Reforms with NPM overtones have been implemented on a limited scale, but far from what has been achieved in OECD countries like the UK, New Zealand, and the USA. The context is of course quite different in these countries as compared to Bangladesh, in terms of social and economic development, political factors such as rule of law, the level of administrative infrastructure, and state capacity and efficiency to influence and implement reforms (Fardousi and Qin 2013).

A pertinent question is whether Bangladesh is now ready to accept NPM in its policies and practices. It is of course very difficult to claim that Bangladesh has the right context for introducing NPM in its administrative system, for as has been shown, it has a high degree of politicization and bureaucratic dominance. Without the practice of rule of law, introduction of NPM can cause more damage than benefits because autonomy and discretion, which are fundamentals of NPM, are best exercised in a system governed by rule of law. Otherwise, corruption is likely to breed with more autonomy but without proper check (Schick 1998). The state suffers from incapacity—institutionally, technically, administratively, and politically—and there is a breakdown in law and order. However, it is also true that the country has made tremendous progress in ensuring people's access to information through establishing the Union Information and Service Center. This has now been renamed as the Union Digital Centre, and it is at the lowest tier of the country's

administrative system: the Union Parishad. Furthermore, the government has introduced e-service in almost all service delivery departments. This has been highly praised, not only by the service receivers but also by the international community.

It can therefore be claimed that Bangladesh has achieved a certain degree of preparedness, such that the initiation of NPM reforms could be able to overcome poor features of governance. To implement NPM reforms, the political leadership must be capable of building a solid institutional framework, sound rule of law, a proper control structure, and an effective civil service system. Otherwise, the government will continue to make reforms attempts without producing any substantive outcomes contributing to the overall development of the country.

APPENDIX I

See Table 10.3.

Table 10.3 Commissions and committees formed by the government of Bangladesh

<i>No.</i>	<i>Name of the commissions</i>	<i>Year</i>	<i>Main focus of recommendations</i>
1	Administrative Reorganization Committee	1971	Organizational set-up for the government after emergence of Bangladesh
2	Administrative and Services Structure Reorganization Committee	1972	Service structure
3	National Pay Commission	1972	Pay issues
4	Pay and Services Commission	1977	Services structure and pay issues
5	Martial Law Committee for examining organizational set-up of ministries, divisions, directorates and other organizations	1982	Organization and rationalization of manpower in the public sector organizations
6	Committee for Administrative Reform and Reorganization	1982	Reorganization of district (<i>upazila</i>) and field-level administration
7	National Pay Commission	1984	Pay issues

(continued)

Table 10.3 (continued)

<i>No.</i>	<i>Name of the commissions</i>	<i>Year</i>	<i>Main focus of recommendations</i>
8	Secretaries' Committee on Administrative Development	1985	Promotion aspects
9	Special Committee to Review the Structure of Senior Services Pool	1985	Structure of senior services pool
10	Cabinet Subcommittee	1987	Review of SSP and promotion aspects
11	Committee to re-examine the necessity of keeping certain government offices in the light of changed circumstances	1989	Necessity or otherwise of keeping certain government offices
12	National Pay Commission	1989	Pay issues
13	Commission for Review of Structure of the Local Government	1991	Structure of local government
14	National Pay Commission	1996	Pay issues
15	Administrative Reorganization Committee	1996	Structure and rationalization of manpower across ministries/departments/directorates
16	Local Government Commission	1997	Strengthening of local government institutions
17	Public Administration Reform Commission	1997/(recommendations made in 2000)	Improving transparency, efficiency, accountability, effectiveness of public administration, bringing institutional and procedural changes, and improvement of service delivery to ensure value for money at all levels of administration in the light of NPM

Source United Nations Development Programme (UNDP), *Public Administration Reform in Bangladesh, SURE, 2004*, Bangkok, Thailand

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Reforms in the Administrative System of Nepal

Bharat Gautam

INTRODUCTION

In 2015 Nepal adopted a new constitution which declares that the country is a federal democratic state (Constitution of Nepal, Article 4). It also mentions three main levels of governance: federal (central), provincial, and local (Article 56). General elections for these three levels were held in 2017. The task of transforming the unitary administrative system into a federal system has therefore been initiated. But the unitary administrative system, which was established in the period of modern Nepal's unification in 1768, still continues, even though it is likely to transform into a federal administrative system soon. The unitary administrative model consists of the central government, regional administration, and local administration, and it has a decentralized form. At the local level, there are two wings of administration: one general, the other related to development. In the absence of local elections for the last 20 years, the institutions that should be administering development

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initiatives—for instance district development committees, municipalities, and village development committees, which were supposed to be run by the locally elected people’s representatives—have remained vacant, so the development-related administration is run instead by public officials.

Reforming Nepal’s administrative system has become a ritual which has been going on continuously since the early 1960s. The early initiatives dealt with administrative structure, rules and regulations and can be described as traditional or pre-New Public Management (NPM) reforms. NPM-inspired reforms were initiated in the 1990s, and those initiated since 2010 can be characterized as post-NPM reforms. Although the NPM reform movement was not as aggressive in Nepal as it was in the global context, its ideas did make an impact on the Nepalese public sector, given that reform initiatives such as performance-based management and result-orientation did take place. The latest focus of reform is on service delivery and on coordinating various government agencies. These can be categorized as the post-NPM reforms.

The chapter begins with an account of the methodology used for the study on which the chapter is based. It then presents a theoretical review of the unitary and federal administrative systems and NPM and post-NPM reform ideas. This provides a platform for presenting Nepal’s unitary administrative system and constitutionally mandated federal model. Nepal’s attempts to implement NPM and post-NPM reforms are outlined in combination with a discussion of recent trends and reform issues. The paper concludes with the reflection that regardless of whether the country ends up keeping the unitary system or implements federalism, it could be that making the administrative system performance-oriented and achieving effectiveness in service delivery will still remain the major issues of reforms.

METHODOLOGY

The data for this chapter are mainly collected from secondary sources, the major ones being reports of the administrative reform committees, the Constitution of Nepal, the local administration act, the good governance act, the civil service act and rules, and documents outlining organizational structures. Content analysis was thus the primary method used in the study. Information was also gathered during a discussion on the existing administrative system and its reform issues. The chairperson of

the high-level committee for administrative reform implementation and monitoring was the main informant of the discussion. As an employee working in the Nepalese bureaucracy, my experience and observations are also sources of information on the administrative system and its reform process.

THEORETICAL UNDERSTANDING

The Unitary and Federal Administrative Systems, in Theory

Public administration is about the management of state affairs. In a broader sense, the concept of an administrative system encompasses all government activities including the affairs of all the state organs, that is the executive, legislative, and judiciary branches of government. In a narrower sense, the concept denotes the affairs of the executive branch (Oxford 2007).

As stated, the Nepalese administrative system is transitioning between the unitary and federal systems of governance. The constitution of 2015 has declared that the country is now federal, but its unitary administrative system is still in place. It is therefore pertinent, before going further, to elucidate the theoretical assumptions undergirding the unitary and federal forms of governance, for the distinctions between these assumptions enable us to understand the governing style in the two models of administration. The unitary form of administration is governed by the central government (Dhungel 2012). State power flows from the central to the regional and local bodies. The regional and local administrations are under the command of the central government and need to follow its laws and directives.

In a unitary form of governance, it is assumed that the central government can centralize power and authority to the regional and local bodies, but such power and authority can sometimes be rolled back to the central level. In the federal model, it is assumed that the power and authority are divided between the central, provincial, and local levels. Therefore, federalism is assumed to be a complete form of devolution of the state power and authority and may sometimes lead to an overlapping of functions and duality in power sharing.

Twenty eight nations in the world practice a federal form of governance at present (CA Report 2010).¹ Nepal is the 29th to declare the federal system in its constitution in 2015. From the perspective of national development, there are stories of both success and failure with the two forms of governance. Japan and Singapore have developed their governance to the highest level following the unitary system. The USA and Switzerland, by contrast, have followed the federal model. As for less developed nations, Ethiopia and Sudan follow the federal model but have not built it out to any great extent. Therefore, when it comes to development and service delivery, political actors must assess whether the federal form is better than the unitary form.

NPM and Post-NPM in Theory

As a public-sector reform wave, NPM was popular mainly in the 1980s and 1990s. NPM reforms focus mainly on improving efficiency, enhancing accountability and professionalism, making single-purpose organizations, creating agencies, and specializing public services. NPM triggers the fragmentation and downsizing of public-sector organizations, market orientation, competition and choice, a private-sector management style, the devolution of authority, managerial autonomy, and financial flexibility. In addition, this approach focuses on performance-based management, output, result orientation, contracting out, and the outsourcing of public services (Hood 1991; Christensen and Lægread 2011). When initiating NPM reforms, it is presupposed that politicians are the principal actors and civil servants are the subordinate actors. Politicians set goals, and civil servants, who are their agents, are to implement the goals. The civil servants act as autonomous managers; they are given incentives and held accountable for their performance and results (Christensen 2012). Furthermore, the NPM-oriented reforms consider service seekers as customers (Osborne and Gaebler 1992). Use of a citizens' charter in public organizations is also one of the popular reform ideas of the NPM movement.

¹Argentina, Australia, Austria, Belgium, Bosnia Herzegovina, Brazil, Canada, Comoros, Ethiopia, Germany, India, Iraq, Palau (Belau), Malaysia, Mexico, Micronesia, Nigeria, Pakistan, Papua New Guinea, Russia, South Africa, Spain, Saint Kitts and Nevis, Sudan, Switzerland, United Arab Emirates, United States of America, and Venezuela.

In the world context, the wave of NPM-inspired reforms could not be sustained in the public sector for too long. From 2000 and onward, it began to be acknowledged that NPM ignored the question of horizontal and vertical coordination amongst public organizations. It resulted in creating single-purpose agencies to provide one-stop services to citizens. However, ‘wicked’ problems such as unemployment, immigration, climate change, and drug and human trafficking are difficult to address with single-purpose agencies; such problems require the concerted efforts of multiple agencies. Thus the concept of ‘whole-of-government’ came to the fore in a reform movement that focused on integration amongst government agencies (Christensen and Læg Reid 2007). Given that this reform idea differs from those of the NPM reforms, it can be labelled as post-NPM. The post-NPM reforms focus on cultivating a strong and unified sense of values, cultural integration, team-building, participation, trust, collaboration, and public servants’ self-development (Christensen 2012). In addition, the idea of public services focusing on serving citizens rather than steering administration, as argued by Denhardt and Denhardt (2000), has emerged. The post-NPM reforms are intended to improve horizontal coordination amongst government organizations and enhance coordination between the government and non-state actors in service delivery.

AN OVERVIEW OF THE UNITARY ADMINISTRATIVE SYSTEM IN NEPAL

Nepal’s current administrative system is, as stated, undergoing transition from a unitary to a federal system. With respect to the unitary system, the central administration included the office of the prime minister, the council of ministers known as the cabinet, the ministries, departments, constitutional bodies, and other central-level organizations formed by the government. It was controlled by the executive branch of government, that is, the cabinet, led by the prime minister and including all the political heads of ministries. The next layer, the regional administration, was run by a bureaucratic actor, the regional chief, who held a position at the secretary level in the bureaucratic hierarchy. The third layer, local administration, included district, municipal, and village authorities. These were supposed to be managed through popularly elected local councils, but they were under the central administration. In the unitary

system, authority flowed from the central government to the regional and district administration. There were around 8000 public-sector organizations for rendering services to the people. There were nearly 500,000 public-sector employees including civil service, security personnel, workers in public enterprises, teaching professionals, and others who received a government salary for delivering public services to nearly 30 million people. Amongst the public-sector employees, only 82,000 were in the civil service. The following sub-sections give greater discussion of the central, regional, and local administrative systems.

The Central Government

The central government included legislative, executive, and judicial organs of the state. The head of the state, the president, had only a ceremonial role in the affairs of state. The chief secretary of the central government was the head of the bureaucratic institutions and employees. The central government divided state portfolios into 31 ministries (Rules of Portfolio Divisions 2016).² The ministries performed their functions as stipulated in the portfolio rules. The cabinet was the final decision-making body for the overall policy issues and administration of the nation. One feature of this unitary administrative system is that it had a centralized budget; the Ministry of Finance had the sole responsibility for authorizing and disbursing financial resources to all the other ministries and public institutions in Nepal (Adhikari et al. 2013).

A minister was the top-level policy maker of the ministerial portfolio known as politico-administrative leadership. A secretary was the head of

²31 ministries: Office of the Prime Minister and Council of Ministers, Ministry of Finance, Ministry of Supply, Ministry of Industry, Ministry of Energy, Ministry of Law Justice and Parliamentary Affairs, Ministry of Agriculture Development, Ministry of Water and Sanitation, Ministry of Home, Ministry of Population and Environment, Ministry of Foreign Affairs, Ministry of Livestock, Ministry of Land Reform and Management, Ministry of Physical Infrastructure and Transport, Ministry of Women Children and Social Affairs, Ministry of Youth and Transport, Ministry of Defence, Ministry of Forest and Soil Conservation, Ministry of Commerce, Ministry of Science and Technology, Ministry of Peace and Reconstruction, Ministry of Education, Ministry of Labour and Employment, Ministry of Culture Tourism and Civil Aviation, Ministry of Federal Affairs and Local Development, Ministry of Cooperatives and Poverty Alleviation, Ministry of Urban Development, Ministry of General Administration, Ministry of Irrigation, Ministry of Information and Communication, and Ministry of Health.

the administrative leadership of each ministry. The departments worked under the ministries, and the head of a department was a bureaucrat who executed the ministerial policy decisions. There were approximately 60 departments. The constitutional bodies independently performed their roles and exercised their authority as stated in the constitution.

There are six³ constitutional bodies in operation at present, and the new constitution has added another eight.⁴ The leadership and members of the constitutional bodies are appointed by the government on the recommendations of the constitutional council after a parliamentary hearing. There are other institutions created by the government known as the statutory institutions, and they are also categorized as part of the central government. Altogether, there are now approximately 250 central-level public offices (ARC 2013).

The Regional Administration

Under the unitary system, Nepal was divided into five administrative regions, and there were about 150 public offices at the regional level (ARC 2013). Each region was headed by a senior bureaucrat, he/she was called the regional chief, with status equivalent to the secretary level of the government. However, in practical terms, the secretary of the ministry superseded the regional chief. The regional chiefs were appointed by the cabinet and their functional relationship was with the Ministry of Home Affairs. Their major role was to maintain peace and order, settle differences and disputes on matters of public interest between districts, act to control natural calamities, and coordinate government offices in the region. They were also responsible for regional administrative activities and activities related to development (Local Administration Act 1971 and its amendments). However, it has been observed that the regional administration was ineffective. It existed in institutional form, but effectiveness was always questioned. The regional administrators were not motivated to work at the regional level and

³Attorney General, Commission for the Investigation of Abuse of Authority, Auditor General, Public Service Commission, Election Commission, and National Human Right Commission.

⁴National Natural Resources and Fiscal Commission, National Women Commission, National Dalit Commission, National Inclusion Commission, Indigenous Nationalities Commission, Madheshi Commission, Tharu Commission, and Muslim Commission.

always hoped to be transferred to the central administration. There were 14 zones within the five aforementioned regions. The provision of zonal administration was repealed in 1990.

Local Administration

Under the unitary system, the local administration included district, municipal, and village level administration. There were 75 districts, 217 municipalities, and 3157 village development committees (Subedi 2015). (This was the case up to the time when local-level elections for the federal structure were held in 2017.) Approximately 800 public offices across the country at the local level were set up to provide public services to the population. There were also around 30,000 employees recruited by the local bodies in addition to civil service employees. The local administrative system was categorized into two wings: general administration and development administration. The general administration at the district level was led by a Chief District Officer (CDO) and the CDOs of the 75 districts. They were responsible for the overall administration and are still working to maintain peace, security, and law and order in the district.

In the case of development administration, there were both political and bureaucratic institutions in the local body. For example, there was the District Development Committee (DDC), which was a political body elected by the people, and a bureaucratic institution led by the local development officer popularly known as the Local Development Officer (LDO) in the district. The DDCs and LDOs were both responsible for the development activities of their respective districts. Likewise, at the municipal level, there were two institutional provisions, one being a political body elected by the people and led by the mayor, the other an executive officer of the municipality, who was a bureaucrat deputed by the government. In the village, there was a Village Development Committee (VDC) led by a chairperson elected by the people, and a VDC secretary deputed by the government under the supervision of the LDO. Overall, the CDO was the responsible representative of the government at the district level; he or she was responsible for both the general and development administration of the municipalities and villages. The CDOs were the responsible authority for anything that went right or wrong in the districts. Table 11.1 summarizes the structure of the local administrative system within the unitary system.

Table 11.1 Local administrative system in unitary form of governance

<i>Development administration</i>	<i>General administration</i>
<p>At District Level</p> <ul style="list-style-type: none"> • District Development Committee, led by Chairperson, political actor, elected by the representatives of the people • Local Development Officer, LDO bureaucratic actor <p>At Municipal Level</p> <ul style="list-style-type: none"> • Mayor, political actor, directly elected representative of the people • Executive Officer, bureaucratic actor <p>At Village Level</p> <ul style="list-style-type: none"> • Village Development Committee, led by chairperson, political actor, directly elected representative of the people • VDC Secretary, bureaucratic actor 	<p>Chief District Officer, CDO</p> <p>Bureaucratic actor responsible for overall administration i.e., the General and Development Administration including municipal and village levels</p>

Reflection of the unitary local administrative system—district, municipal, and village in Nepal, 2015

The structure of the local administrative system of Nepal may look fine on paper, but in actual fact, the district development committees, municipalities, and village development committees were non-functional due to the lack of local elections from 2002 to 2017. Instead, the functions of local bodies were carried out by deputed bureaucrats of the central government.

FEDERAL ADMINISTRATIVE SYSTEM

The new constitution has mandated three levels of federal administration: federation, province, and local. The following sections describe in brief the federal administrative system and its major functions.

Federation

The first layer of the federal structure includes the central administration. There are also constitutional bodies and entities at this level. The federal government is to be formed by the political party which commands the majority in the House of Representatives (the lower house of the federal parliament). According to schedule 5 of the constitution, the federal

government would have jurisdiction over numerous areas collectively referred to as ‘the federal list’. This list includes the following: defence (the army, national security, territorial integrity, arms, and war), the central police and intelligence, central planning and finance (the monetary policy), customs and value-added tax, the federal civil service, water resources and their multi-dimensional use, international and inter-provincial electricity, central statistics, mega-electricity and irrigation projects, the central university, the central health policy, the federal legislature, executive and special structures, international trade, civil aviation, diplomatic affairs, international treaties, national transport and highways, laws related to the judiciary and judicial administration, citizenship-passport-visa and immigration, nuclear energy, intellectual property, standards and metrology, mining and exploration, national parks and national forest policy, insurance-securities and cooperatives, land use policy, tourism policy, criminal and civil laws, security printing, social security and poverty alleviation, constitutional bodies and national commissions, and archaeological places and ancient monuments.

According to schedule 7, the federal government would also have the power to control the relationships between the federation and provinces, and, as stipulated in schedule 9, between the federal, provincial, and local government. According to article 58, any residual power belongs to the federal government. By ‘residual power’, what is meant is any power not mentioned on the provincial and local lists of areas of jurisdiction. Examining the powers outlined in the federal list, concurrent list, and residual power, it is clear that the central government would remain powerful even after federalism is implemented in Nepal.

Province

The constitution speaks of seven provinces. A provincial government is to be led by a chief minister. The political party that holds the majority in a provincial parliament forms the provincial government. The provincial government would have jurisdiction over the provincial list of areas of jurisdiction, as per schedule 6 of the constitution: provincial police and law and order, banking and finance under the policy of the Nepal Rastra Bank, cooperatives, foreign grants and aid (with consent from the central administration), FM radio and television, land and house registration fees, vehicle tax, entertainment tax, advertisement tax, tourism tax, agricultural income service charge, penalties and fines, provincial civil service

and other government services, provincial statistics, provincial electricity, irrigation, drinking water and transport, and health service. Likewise, the list includes the provincial assembly and cabinet, provincial trade and business, provincial highways, provincial investigation bureau, infrastructure management, provincial public service commission, land management and record keeping, exploration and the management of mines, the preservation and development of language, culture, and texts, fine arts, religion, national forest management, water resources and ecology within the province, agriculture and livestock development, and management of the trusts. The provincial government can also have responsibilities that overlap with those on the federal list and local government list, as per schedule 7 and schedule 9, respectively.

Local Level

The local level consists of the village and municipal governments and a district coordination committee. The executive at this level is known as the local administrator. According to schedule 8 of the constitution, the village executive and assembly and the municipal executive and assembly are to have jurisdiction over the following list of items: municipal police, cooperatives, FM radio operation, local taxes on property, house rent, registration fee of house and land, vehicle tax, service fee, tourism fee, advertisement tax, business tax, entertainment tax, land revenue, fines, management of local services, local statistics and record keeping, local development projects and programs, basic and secondary education, basic health and sanitation, local markets, the environment, conservation and biological diversity, local roads, rural roads, agriculture roads and irrigation, village assembly, municipal assembly, district assembly, local courts, dispute settlement and mediation, management of local records, distribution of land and building ownership certificates, farming and livestock, agriculture production management and cooperatives, senior citizens, people with physical disabilities, statistics of unemployment, management/operation and control of agriculture extension, drinking water, small electricity projects, alternative energy, disaster management, watershed conservation, wetlands, wildlife, mines and minerals, preservation and development of language, culture, and fine arts. As schedule 9 of the constitution makes clear, local government may have responsibilities that overlap with those of the provincial government and the federal government. Table 11.2 summarizes the unitary and federal system.

Table 11.2 Structural provisions of unitary and federal administrative systems

	<i>Unitary administrative system decentralization of the state power and authority</i>	<i>Federal administrative system devolution of the state power and authority</i>
First layer	Central Government	Federation
Second layer	Regional Administration (5)	Province (7)
Third layer	Local Administration (3374 + 75) <ul style="list-style-type: none"> • District Administration (75) • Municipal Administration (217) • Village Administration 3157 	Local-Level Government (753 + 77) <ul style="list-style-type: none"> • District Assembly/Coordination Committee (77) • Municipal Assembly/Executive (Total 293 Metropolitan 6, Sub Metropolitan 11, Municipal 276) • Village Assembly/Executive (460)

Source Comparative reflection of the Unitary Administrative System 2015 and Federal System in Nepal 2017

There is an additional provision in the new constitution stating that the federal government can lawfully declare certain regions of the country as protected and autonomous, for instance, for sake of socio-cultural protection or economic development (Article 56.5).

ADMINISTRATIVE REFORMS IN NEPAL

Administrative reforms in Nepal started in the early 1960s and continue to date. The practice of forming commissions or committees has been repeated time and time again and become ritualistic. More than a dozen reform initiatives have already been made. Nepal is a typical developing country at the threshold of change, and it faces dilemma in its search for an appropriate model of reform (Atreya and Armstrong 2007). The following sub-sections briefly discuss reform initiatives from the pre-NPM, NPM, and post-NPM perspectives.

Pre-NPM Reforms

The first reform committee was formed in 1952 and marked the start of the first era of reforms. Reforms were initiated in 1956, 1968, 1972, and

1975 (Poudyal 1989), and were largely traditional, with the main focus of establishing administrative structures, acts, rules, and regulations. These can be categorized as pre-NPM reforms in the Nepalese context. Process completion was the main priority in the government agencies, rather than delivering public services within the stipulated timeframe.

NPM Reforms

The second era of reforms can be traced from 1990 to 2010 and described as NPM-based. Several reform commissions and committees were formed in these two decades. In 1991, along with changing from the authoritarian single-party regime to democratic politics, the Administrative Reform Commission (ARC) led by the prime minister was constituted. Subsequent NPM reforms were initiated in 1998, 1999, 2000, 2001, and 2008 (Gautam 2012). Most of the reforms after 2000 focused on administrative structure, competitive service delivery, and the behaviour of civil servants. It is worth giving an example of structural reform. In 1990 there were 102,744 civil service employees. The ARC report of 1992 suggested reducing the number by 25%. Downsizing bureaucracy was thus one priority of the NPM-influenced reform agenda (Tiwari 2009). The size of the bureaucracy was reduced, and the number of civil servants in late 2015 was around 82,000. Similarly, NPM-inspired reform initiatives with a result-orientation, or which involved performance contracts, outsourcing, performance-based management, and the use of a citizens' charter could also be observed (GRP 2001; Civil Service Act 1992; 2nd Amendment 2007; Good Governance Act 2007).

Post-NPM Reforms

The third era of reforms that began in 2010 can be described as post-NPM in its focus. This is because instead of having sectoral objectives, the reforms are intended to aggregate and coordinate government agencies to achieve the larger goal of national development. Reviewing the administrative reform report of 2013, we can observe that a wide range of reforms have been initiated: structural reforms, good governance, efficiency in service delivery, the application of information and communication technologies, and diversity management. The latest reports on administrative reform implementation from 2015 show that

the reformers have focused more on coordination amongst the government agencies for integrated planning and unified service delivery. After the devastating earthquake of 25 April 2015, the government formed a single national authority to coordinate the various government agencies involved in construction work. This is a clear nod to the post-NPM ‘whole-of-government’ idea.

RECENT TRENDS AND REFORM ISSUES

Regardless of whether a government has a unitary or federal system, reform is indispensable for improving administration and governance as a whole. The most recent reforms in the administrative system in Nepal are oriented towards transforming the existing unitary administrative system to a federal structure. In November 2015, the Minister for General Administration attended a meeting with members of the State Affairs Committee (the parliamentary committee responsible for overseeing the administrative system and its reform). On this occasion the minister said that the country had completed a political transition since the promulgation of the new constitution, and that it had started administrative transition. Around the same time, the government asked the High Level Administrative Reform Implementation and Monitoring Committee to develop a plan for the management of civil service employees in the federal system. Since then the committee has also asked all the ministries and other central-level organizations to work on job analysis and employee management in the federal administrative system.

In December 2015, the Ministry of General Administration presented a white paper announcing ‘40 points of commitment’—its list of priority functions within the new federalist system. The list includes transforming the administrative structure, shifting employee management from the central to provincial and local level, managing the existing number of employees, recruiting new employees at the provincial and local level, and making their careers predictable in ways that increase their performance. From the administrative point of view, adopting the federal system means to deliver public services to the people by being as close to them as possible.

The government is working to harmonize and modify existing laws and to draft new laws in order to operationalize the federal administrative system. In January 2016, the parliament made amendments to 193 laws, harmonizing them with the new constitutional provisions of the

federal system. The government is also working on drafting and reforming several laws related to the administrative system and governance as a whole.

The ARC report of 2013 strongly recommends reducing the number of ministries from the then 31 to 12 in the federal structure of the country. The justification for the reduction is that when the power and authority of the state are distributed between the federal, provincial, and local level, there will be fewer functions at the central level. There will be stronger provincial and local government with each their own constitutional list of areas of jurisdiction. The meaning of the distribution of state power in federalism is that the size and rights of the central administration should be small and integrated. The devolution of power and authority from the central to provincial and local government is essential for the overall development of the country. To empower people by setting up a local administration that is close to them is seen as ideal and desirable.

The recent focus of administrative reform also involves making service delivery effective. If we review the ARC report of 2013 and the commitment paper of the Ministry of General Administration, there is a clear focus on improving the service delivery system of the public sector. In recent years, the network of service providers and civic awareness has improved, but there is still a lack in the actual delivery of public services (Subedi 2015; ARC 2013). There are policies and legal and procedural frameworks, but there are still problems with front-line service providers. It is, therefore, crucial to reform the mechanisms for front-line service provision.

The recent reform trend also adopts the idea of the citizens' charter, applying it mainly in the public contact offices. These are government offices where citizens come to seek public services related to their daily lives. The idea behind the charter is to value citizens first, and to reduce bureaucratic hassles (Good Governance Act 2007).

Making the administrative system result-oriented follows the concept of performance-based management and involves rewarding employees who perform well. In result-oriented management, whether a stipulated process is followed is less important than having employees or organizations achieve results or deliver services. Strategies for achieving this may include performance contracts, outsourcing public services, rewarding employees who perform well, and incentive-based management. These NPM-oriented ideas are also introduced in the Nepalese context today

(GRP 2001–2005; 2nd Amendment of Civil Service Act 2007; Good Governance Act 2007; ARC Report 2013).

The implementation of information and communication technology (ICT) in management and service delivery is another new trend for modernizing Nepal's bureaucracy. The 2013 ARC report recommends e-governance instead of the traditional mode, the assumption being that using ICT reduces paper work and minimizes the frequency of citizens' visits to public offices: they can simply apply or register for services online.

All this may seem very positive, but the frequent change in government—the Rana regime of the 1950s, the democratic political system of the early 1960s, the authoritarian monarchical regime of the late 1960s, the restoration of democratic politics in the 1990s with a ceremonial monarchy, the republican political system of the 2000s, and the recently adopted federal system of the governance in 2015—have caused great suffering. From 1990 to 2017, a span of 27 years, Nepal's government changed 24 times.⁵ Consequently, reform efforts made by one government have not been truly followed by the subsequent governments, and the constant effort of reform has made no real change in the Nepalese civil service (Shakya 2009). It is also observed that social and political issues are often prolonged due to political instability (Khanal et al. 2005).

Making prompt decisions is another big challenge for the Nepalese administrative system and its reform. Delays in decision-making are common, and decision usually pass through many layers of the politico-administrative system. The need for time-bound decision-making with managerial autonomy and accountability is thus an emerging issue of reforms in Nepal.

Managing diversity is yet another emerging issue (ARC 2013). Nepal adopted the principle of inclusive bureaucracy in 2007, and since then, people from many social groups and geographical regions have entered the civil service, so also women. There are two types entry: one is based

⁵24 Governments: 1990 Krishna Prasad Bhattari, 1991 Girija Prasad Koirala, 1994 Man Mohan Adhikari, 1995 Sher Bhadrur Deuba, 1996 Lokendra Bahadur Chand, 1997 Surya Bhadrur Thapa, 1998 Girija Prasad Koirala, 1999 Krishna Prasad Bhattarai, 2000 Girija Prasad Koirala, 2001 Sher Bhadrur Deuba, 2002 Lokendra Bhadrur Chanda, 2003 Surya Bahadur Thapa, 2004 Sher Bhadrur Deuba, 2005 King Gynendra, 2006 Girija Prasad Koirala, 2008 Puspa Kamal Dahal (Prachanda), 2009 Madav Kumar Nepal, 2010 Jhalnath Khanal, 2011 Dr. Baburam Bhattarai, 2012 Khil Raj Regmi, 2013 Shushil Koirala, 2015 KP Sharma Oli, 2016 Puspa Kamal Dahal (Prachanda), and 2017 Sher Bahadur Deuba.

on open competition, the other on reserved quotas (as a result of the reservation or affirmative action policy). A harmonious working environment is therefore needed for the socially diverse civil servants to effectively deliver services to the populace.

The main issue of administrative reform, however, is to implement the measures that have been repeatedly recommended by administrative reform commissions and committees. Many reform measures have been agreed upon in theory, but in practice, the government does the opposite. For example, the ARC report of 2013 strongly recommends—with due justification—to reduce the number of ministries from 27 to 18. But the government, to the contrary, increased the number of ministries from 27 to 31 in December 2015. Therefore, structural instability and ad hoc situations are also key issues needing to be addressed for reforms in the civil service to be effective. Having acknowledged the non-implementation syndrome, the recent trend of administrative reform is to focus on *actually implementing* the reform measures. The government has formed a high-level administrative reform implementation and monitoring committee and has produced a report on the status of implementation with focus on the service delivery component. In November 2015, the State Affairs Committee of the Legislature-Parliament extended its directives to the Office of the Prime Minister and the Ministry of General Administration to implement structural, managerial, service delivery, and behavioural reform recommendations made by the ARC in 2013. There is thus growing pressure on the government to implement reform measures for modernizing the administrative system.

CONCLUSION

Since the constitution of 2015 declared Nepal a federal democratic state, the country's administrative system has been undergoing great transition. The general elections to the federal, provincial, and local level were held in late 2017. Not all the federal, provincial, and local administrative structures have been set up yet, since there is still confusion amongst the political and bureaucratic actors on how to transform the long-standing unitary administrative system into a federal model of governance. However, the constitutionally mandated federal model of administration needs to be set up as soon as possible at all three levels. It is anticipated that the local and provincial administration in the federal structure would be more powerful and service-oriented than in the unitary system.

The history of administrative reform in Nepal started in the early 1960s. It began with the establishment of reform commissions and committees that made recommendations for how administrative structures should be set up and for formulating administrative acts, rules, and regulations. Reforms in the 1990s were inspired by NPM and focused on modernizing the administrative system by downsizing bureaucracy, outsourcing public services, implementing performance-based management, and focusing more on achieving results than on procedures. 2010 marked the start of the post-NPM era, and with the recommendations of the ARC report of 2013, the focus shifted to improving service delivery, developing unified planning, and integrating service delivery. Along with the new constitutional provision of federalism, there is a pressing need to establish administrative structures at the provincial and local levels, which would enable them to gain the power and authority that is rightfully theirs. However, there is uncertainty and fear amongst the civil servants at all levels of the Nepalese bureaucracy regarding how the federalist system will affect their careers, what adjustments they would need to make, and what role they would be assigned. Similarly, there is still no clarity on the extent to which the provincial and local levels will assert their administrative autonomy in selecting and utilizing human resources. This, after all, is seen as one of the main features of federalism. Finally, regardless of whether the country keeps its unitary system of governance or implements the federalism announced in the new constitution, it could be that making the administrative system performance-oriented and achieving effectiveness in service delivery will still remain the major issues of reform in Nepal.

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CHAPTER 12

The Local Administrative System in India

Jitendra G. Wasnik

INTRODUCTION

The history of local government in India begins with the *panchayats*, which consisted of five respected elders who led their village communities and acted as the main interface between the villagers and higher authorities. The next stage in the evolution of local government happened under British rule. The first step was the establishment of the Municipal Corporation of Madras in 1687, which was based on the British model of a town council. Later, the traditional village panchayat system was revived in Bengal by Lord Mayo (Viceroy of India during 1869–1872). In 1882 Lord Ripon (Governor General and Viceroy of India during 1880–1884) introduced the landmark reforms that provided for rural local boards, two-thirds of which were to be composed of elected, non-official representatives and presided over by a non-official chairperson. The Government of India Act in 1919 transferred the issue of local governance to the provinces. The Government of India Act in 1935 continued along this path and gave popularly elected governments in the provinces the right to enact laws to establish local self-government

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institutions, including panchayats and municipalities (Raghunandan 2013, p. 1). The local government's authority was limited to a specific area, and its functions related to providing civic amenities to the population living within its jurisdiction. Local governments were thus strengthened to bring about 'democratic decentralization'.

After India's independence in 1947, several efforts were made to strengthen the local government system. Article 40 of the Constitution of India (1950) states that 'the state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government'. However, in the early years of independence, no concrete steps were taken to fulfil this constitutional provision. The problems that arose when trying to implement the Community Development Programme (CDP) (1952) and National Extension Services (NES) (1953) forced the central government to act. In January 1956 it set-up a study team headed by Balwantrai Mehta to review the CDP and NES. The study team submitted its report in 1957 and recommended the three-tier system of the *panchayatiraj*, that is, the *village panchayat* at the village level, *panchayat samiti* at the block (district sub-division) level, and *zilla parishad* at the district level. Its report was accepted in 1958 by the National Development Council. The working of the panchayat raj institutions (PRIs) was affected by certain problems, so in 1977 a new committee was appointed under the chairmanship of Ashok Mehta. It submitted its report in 1978. Its main recommendations were to replace the existing three-tier system by a two-tier system with *mandal panchayats* at the base and *zilla parishads* at the top, reduce the dependence of PRIs on the state government, give them the capacity to raise their own funding, and allow political parties to participate in their working. These recommendations, however, were rejected.

THE 73RD AND 74TH CONSTITUTIONAL AMENDMENTS

In the 1980s, it was acknowledged that the PRIs were not achieving their potential and that certain state governments were never interested in holding regular elections. The PRIs were not given adequate resources and power to perform their duties. An attempt was thus made by then-Prime Minister Rajiv Gandhi to reorganize and restructure them. The measures he introduced, in the form of the 64th Amendment Bill, failed. In September 1991, the Congress-party government, under

Prime Minister Narasimha Rao, introduced the 73rd Amendment Bill (for rural local bodies, i.e., panchayats) and the 74th Amendment Bill (for urban local bodies, i.e., *nagarpalikas*). These bills were referred to a joint select committee of the parliament. The *Lok Sabha* (lower house of parliament) passed the two bills on 22 December 1992, while the *Rajya Sabha* (upper house) passed them the next day. The bills were eventually ratified by more than half the state assemblies, and the president gave his assent to them on 20 April 1993. They came into force as the 73rd Amendment (1992) on 24 April 1993, and the 74th Amendment (1992) on 1 June 1993. These amendments to the constitution brought about fundamental changes, not only in the area of local self-government, but also in India's federal character. The new panchayats, which started their journey in 1993 with great excitement, entered the new millennium offering a new-found hope. The 73rd Amendment relating to rural local government is in Part IX of the constitution (Articles 243 to 243O), and the 74th Amendment relating to municipal local government is in Part IX A (Articles 243P to 243ZG).¹

The passage of the 73rd and 74th amendments has been hailed as a landmark in the evolution of local governments in India. They provide rural and urban local governments with a constitutional status they had previously lacked and reinforce this status by mandating regular elections for local bodies. The amendments explicitly require individual states—the highest tier of sub-national government within India's federal system—to enact legislation to develop the power and resources of local bodies, thus enabling them to function as institutions of self-government and to play a central role in providing public services, creating and maintaining local public goods, and planning and implementing developmental activities and programmes to alleviate poverty and promote distributive equity (Chaudhari 2007, p. 178). When these amendments were passed, they gave much-needed confidence to all the concerned, and it was therefore accepted that they could be implemented in both letter and spirit nationwide.

¹Local government is a subject included in the state list under the 7th schedule of the constitution.

COMPOSITION OF LOCAL ADMINISTRATION

Composition of Panchayats (Rural Local Government)

As per the provisions of the 73rd Amendment, the PRIs have the following features:

Structure The Panchayati raj structure has three tiers, that is, with PRIs at the village level, the district level, and the intermediate level in-between the village and district panchayats in states with a population above 20 lakh (2 million).

Elections The members of the panchayats at all levels are to be chosen by direct election from territorial constituencies in their respective areas. A State Election Commission is constituted for the purpose of conducting free and fair elections.

Reservation of seats Seats are reserved for Scheduled Castes (SC) and Scheduled Tribes (ST) in proportion to their population. One-third of all seats, including those reserved for SC and ST, are reserved for women. These seats can be allotted by rotation to different constituencies in a panchayat. A state may pass laws which enable the office of chairperson to be reserved as well.

Tenure Every PRI has a five-year term, and if dissolved earlier, elections must take place within six months.

Qualification Any person above the age of 21 and qualified to become a member of the state legislature can become a PRI member.

Powers and responsibilities Articles 243G and 243H provide state governments with the requisite authority to give power to the PRIs. The 11th schedule of the constitution gives power to PRIs to control over 29 items such as land improvement, minor irrigation, animal husbandry, fisheries, and development programmes for women and children.

Finance A State Finance Commission is appointed by the state government every five years to review the financial position of the PRIs.

The 73rd Amendment must be welcomed, for it forces the states to give power to the PRIs. Nevertheless, many states (Andhra Pradesh,

Arunachal Pradesh, Gujarat, Assam, Bihar, Pondicherry, and Delhi) have not held elections to panchayats, postponing them for various reasons, one being that certain flaws have been detected in the administrative set-up. Still, it must be stressed that no administrative set-up is perfect, so it depends on how it works. It is up to the people to see that local administration works properly and to ensure that it does not remain a dream.

Composition of Urban Government

The 74th Amendment provides for three types of local urban government: *nagarpanchayats* for transitional areas or an area being transferred from a rural to an urban area, municipal councils for small urban areas, and municipal corporations for a larger urban area. The composition, reservation of seats, tenure, qualification, and elections are similar to rural local governments. The powers and responsibilities of the urban local government have been laid down in the 12th schedule of the constitution. It contains 18 items such as urban planning, regulation of land use, roads, bridges, water supply, public health, slums, and so on.

The urban local body, being an important provider of public services, must encourage citizen's involvement while making decisions related to urban planning and administration in order to provide quick, democratic, sustainable, and transparent municipal services. In this connection, it is necessary to develop the civil society network to improve the service delivery mechanism, rather than simply encouraging private players to deliver services. Promoting private-sector participation in various services without monitoring and accountability is unadvisable (Trivedi 2015, p. 56). Today's municipal administration in India faces many challenges related to slums, public gardening and recreation places, traffic and noise control, adequate playgrounds, public libraries and reading room services, and shortages of basic services, particularly health care, public transportation, water, and public-distribution shops. These services need more attention from the urban local administration.

BOOSTING LOCAL GOVERNMENT

In 2004, when the United Progressive Alliance (UPA) government came to power for the first time, a separate Ministry of Panchayati Raj (MoPR) was created. Mani Shankar Aiyar was the first union minister of

this ministry. There was a very positive response to this move, but there was also an idea to create a Ministry of Local Government and to entrust it with responsibility to coordinate and facilitate the ministries that are closely associated with local development, thus to ensure better planning and monitoring of local development programmes and their efficient implementation. Evidently, only a full-fledged ministry for local government covering both the panchayats and the municipalities, and with an appropriate mandate, could implement the provisions in Part IX and IXA of the constitution. The UPA government, however, took no action in this regard (Mathew 2004, p. 6), and since that time, the central government has taken no initiative to create such a ministry.

Since its creation, the MoPR made an impact on 70% of India's population. It prompted national debate on various issues affecting the lives of ordinary people, and the ideas and programmes it generated at the state level and below gave hope to the common man. From July to December 2004, MoPR organized several round-table discussions with state ministers incharge of panchayati raj to discuss major themes in different parts of the country. They were: (i) devolution of functions (held in Kolkata), (ii) planning and local government (Mysore), (iii) the provisions of the 'Panchayats Extension to the Scheduled Areas Act', 1996 (PESA) (Raipur), (iv) the panchayatiraj in the Union Territories (Chandigarh), (v) preparation of annual reports on the state of the panchayats, including preparation of a devolution index (Srinagar), (vi) election to the panchayats (Guwahati), and (vii) e-governance (Jaipur). The papers presented and the deliberations at these round-table discussions generated several conceptual and practical ideas to take the panchayats forward (Government of India 2004). The Union Minister of Panchayati Raj signed a memorandum with 22 chief ministers on how to strengthen the panchayats by implementing the provisions of the 73rd Amendment through the State Acts.

Three other initiatives launched during the period 2004–2009 included the Backward Regions Grant Fund Programme (BRGF), Activity Mapping and Panchayat Empowerment, and the Accountability Incentive Scheme (PEAIS). BRGF was launched in 2007, signifying a new approach to addressing persistent regional imbalances in development. This programme absorbed the erstwhile *Rashtriya Sama Vikas Yojana* (National Equal Development Scheme). The BRGF covers 272 districts in 27 States, of which 232 districts fall under the purview of

Part IX and Part IX-A of the constitution dealing with the panchayats and the municipalities respectively. The remaining 18 districts are covered by other local government structures, such as the autonomous district and regional councils under the 6th schedule of the constitution, and state-specific arrangements as in the case of Nagaland and the hill areas of Manipur (BRGF 2017). The grant was ‘untied’ and nearly 11% of the total allocation was for capacity building. Despite this, underutilization of funds was significant. For instance, in 2011–2012, 50.5 billion USD was allocated, but the ministry released only 39.17 billion USD (Annual Report 2011–2012, p. 19). The main reason for underutilization was the lack of capacity in programme management at the state and district levels. A second initiative was what is called ‘activity mapping’. In the first round-table meeting held in Kolkata, it was resolved that ‘On the basis of the identification of activities related to devolved functions, and through the application of the principle of subsidiary, States/UTs may review/undertake time bound Activity Mapping ...’ (Government of India 2010, p. 49). In December 2009, after more than five years, the Secretary of Panchayati Raj, in his letter to all the states, emphasized the ‘need to carry out a detailed review of 12th Activity Mapping and update the same...’ (p. 42). It was clear that hardly any substantial devolution of functions, functionaries, and funds to Panchayats had taken place in most of the states (except Kerala), making the activity mapping exercise irrelevant or out of context. The third initiative was the PEAIS, which was aimed at motivating states to empower the panchayats and to ensure that they have accountability systems to bring about transparency and efficiency. A devolution index was computed using funds, functions, and functionaries and their sub-components as parameters of measurement. Since 1989, the devolution index has also gained a framework which includes the establishment of a state election commission, a state finance commission, district planning committees, and the holding of elections at regular intervals. The PEAIS rewarded incremental devolution in addition to cumulative devolution. During 2011–2012, the panchayats’ performance was assessed and rewarded.

SALIENT FEATURES OF LOCAL INDIAN ADMINISTRATION

Seven basic changes have occurred in the local administrative system since the 73rd and 74th amendments were passed.

Deepening of Democracy

One way in which local democracy is said to support the consolidation of democracy more widely is by strengthening the state's legitimacy. This can work in a variety of ways (Smith 2004, p. 5). Before the 73rd and 74th amendments, the democratic structure of India through elected representatives was restricted to the two houses of parliament, 25 state assemblies and two assemblies of union territories (Delhi and Pondicherry). In 2011, there were more than 589 district panchayats, 6904 blocks (*tehsil* or *mandal panchayats* at the intermediate level), and 239,000 village panchayats in rural India. Urban India, with about 27.8% of the population, had 149 city corporations, 1772 town municipalities, and 2023 *nagar* (city) panchayats. The *gram sabhas* (village councils) in case of panchayats, and the ward committees in the case of municipalities, have paved the way for greater democracy in the interstices of Indian society. Moreover, new acts have regularized the election process across the country. Prior to these, elections in the local bodies were more or less voluntary (Chakrabarty and Chand 2016, p. 123). The situation now is that every five years, about 3 million representatives are elected by the people of India through the democratic process, with more than 1.5 million representatives being women.

In the coalition government regime, the central government remains in power thanks to the states, which are controlled by a number of state-level or regional parties. If the state governments ignore the local institutions, there is every possibility of them not being re-elected. That is to say, the popularity of a state government or state ruling party depends on the extent of its sincerity regarding the devolution of power to the local bodies and strengthening them in the letter and spirit of the constitution. The political leadership that neglects panchayats must pay a heavy price in state government general elections.

Representation of Disadvantaged Groups

As the Indian population has 16.6% SCs and 8.6% STs, about 660,000 elected members (i.e., 22.5% of members in the rural and urban local bodies) are from these groups. This is one of the more heartening aspects of the panchayati raj experiment, as it welcomes the inclusion and participation of variously disadvantaged groups such as *Dalits* (SC), *Adivasis* (ST), and women (Jayal 2007, p. 13). The 73rd and 74th

amendments make it possible to reserve quotas for SCs and STs to participate as members and chairpersons of local bodies. Although the percentages of SCs and STs in various levels of political activity have risen considerably, they are still under-represented in governance and decision-making processes. This reservation system has nevertheless created space for them in politics and decision-making at the grassroots level nationwide.

Women's Empowerment

One of the most positive results of the 73rd and 74th amendments has been women's participation in institutions at all levels. Hundreds of thousands of women are now performing leadership roles. On 21 July 2011, the cabinet of the Indian government approved an official amendment to Article 243 Dof the constitution (110th Amendment Bill 2009) to increase the quota reserved for women from 33% to at least 50%. States such as Bihar, Madhya Pradesh, Chhattisgarh Rajasthan, Himachal Pradesh, Uttarakhand, and Maharashtra held elections in the recent past under the new arrangement and were followed by the other states. It is observed that the reserved quota for women has played a significant role in governance and that it is an important motivator for contesting an election (Tiwari 2012, p. 37). In another study, Tiwari (2015, p. 668) has observed that it is not only important to maintain the representation of women in politics in terms of their percentage, but also to enhance their capacity and ability to remain in politics. The truth is that although women have entered politics, they are not in much of a position to influence decision-making. They are, to some extent, involved in the planning of schemes, and their suggestions are taken into consideration, but they face problems in implementing the schemes for economic development and social justice. Their real inclusion is still awaited. It is likely that after more women enter the public sphere, this will lead to their further empowerment and make local bodies more inclusive institutions, thereby improving governance and public service delivery.

Decentralized Planning

Article 243 ZD of the constitution (inserted by the 74th Amendment), which enables state governments to establish district planning committees (DPCs) in every district, is a milestone in decentralized planning

involving local people and communities. The DPCs are expected to consolidate plans prepared by the panchayats and municipalities within a given district, and on that basis, to formulate a draft development plan for the district as a whole. All the states and union territories have either incorporated this provision in their respective panchayati raj and municipal acts or have enacted separate acts for this purpose. Under Article 243 ZD (2) of the constitution, the composition of the DPCs and the manner in which they are formed, including the choice of their chairpersons, is left to the state legislatures to decide. This is a unique opportunity to make the development process a bottom-up exercise, which is the essence of a true democratic system.

Social Auditing

Social auditing has emerged as complementary to financial auditing. This is not just a tool: it aims to increase participatory planning and decision-making processes. 'Social auditing' means to scrutinize and analyse the working of a public utility with respect to its social relevance, and to do so from the perspective of the vast majority of the people in the society in whose name and for whose cause the very institutional system is promoted and legitimized. In the context of the present discussion, it means an independent evaluation of the performance of PRIs by the people. Social auditing has been given special importance in the PRIs to ensure their effectiveness. The inclusion of social auditing in several government schemes suggests that if community voices are not being heard in development processes, a participatory approach like social auditing should be adopted and practiced. Institutions such as self-help groups and other civil society initiatives can and must play a supporting role in social mobilization, and social auditing enables this to happen. It is essential for improving local service delivery and for ensuring compliance with laws and regulations. NGOs and other agencies should be given support and encouragement to mobilize the local community in undertaking social audits.

Panchayats in several states have provided a forum to implement social auditing. For instance, a committee can be set-up by panchayats at various levels for effective social audits. Social audit committees at the block (*samiti*) and district level consist of respected citizens and professionals, and they audit developmental programmes whenever they deem it appropriate or necessary. Retired persons from different organizations,

teachers, or other public-spirited persons with high integrity could constitute a social audit forum or committee. It is also suggested that women's watchdog committees be established at the panchayat level and in municipalities. Their members should be nominated from each village council (*gram sabha*) or ward committee, with one member being from a SC or ST. These women's committees should have the same rights as social audit committees. They could scrutinize costs, estimates, the quantity and quality of materials used in works, adherence to norms in selection, and so on (Government of Kerala 1996, pp. 19–20). The gram sabha is perhaps the best social audit unit in our new democratic set-up. All members of a gram sabha and all sections of local bodies through their representatives can raise issues of social concern and public interest and demand explanation. Reports from several states suggest that several gram sabha meetings have been extremely effective for a social audit. Still, much ground work needs to be done to make the institution of gram sabha the best forum for social auditing.

People's Participation

'Participation' is defined as citizens' active engagement with public institutions; it is an activity which falls into three well-defined modes: voting, election campaigning, and contacting or putting pressure on elected officials, either individually or through group activity, including non-violent protests (Crook and Manor 1998, p. 7). The efforts of local pressure groups should be efficient and effective and ensure the maximum participation of ordinary people. Participation requires creating awareness, communicating, and using technology to encourage the public's participation. To understand the concept of participation is to recognize that people in society cannot achieve what they would like without cooperating with each other. Furthermore, to enhance participation, the beneficiaries should first be motivated and educated about the programmes. The activities so selected should suit the skills, aptitude, and resource base of the beneficiaries. Identifying activities according to the resource base and other required information of the area will go a long way in accelerating the process of development. If all this is done, the beneficiaries will definitely participate in and be committed to the development programmes. Once people experience the benefits, they should be even more motivated to participate in development activities.

New programmes involving the participation of ordinary people are being introduced in a meaningful way after the amendments came into force. Participatory and sustainable local-level development-planning with the slogan ‘planning by the people and for the people’ is taking place in Kerala’s panchayats and municipalities. Its aim is to empower the local bodies by ensuring that they prepare and ascertain their priorities. In West Bengal and Kerala, participatory governance essentially involves the increased involvement of villagers in deciding how to spend money received from outside, and to ensure that it is spent well (Ghatak and Ghatak 2002, p. 56).

Gram Sabha—Gateway to Direct Democracy

Since 1995, the *gram sabha* (village council) has become a central issue in panchayati raj discussions. In 1999, in fact, the Union Finance Minister declared 1999–2000 as *The year of the gram sabha*. The gram sabha is the only forum that can ensure direct democracy. It offers equal opportunity to all the citizens of a village to discuss, criticize, and approve or reject the proposals of the panchayat executive, and to assess its performance. It is thus a watchdog of democracy at the grass-roots level. Although today the gram sabha is a statutory unit, it still has not achieved the status and position it should have. The gram sabha has the power to identify beneficiaries for various poverty alleviation programmes, propose an annual plan, discuss the budget and audit reports, and review progress. West Bengal had perhaps the best record in this regard: in 1995 it held 63% of the statutory 16 *Gram Sansads* (constituency level six—monthly meetings of the entire electorate of a constituency). The figure rose to 88% in 1998 (Prabhat Datta 1999, p. 52). The gram sabhas tend, however, to attract few participants, with people only attending when there is a matter of special interest to them. Once the matter is no longer on the agenda, they stop attending. Therefore, to ensure the presence and participation of local people, street plays have been arranged at the time of the gram sabha’s opening, intervals, and conclusion. This has resulted in greater participation in discussions on the important issues of local development. The gram sabhas can play the role of securing democracy at the grassroots level if they are endowed with sufficient authority.

ISSUES

The local government, the third sphere of Indian government, has changed drastically after the 73rd and 74th amendments. Several authorities have argued that decentralization builds up democratic institutions and helps meet the basic needs of local people. In a welfare state like India, and in the wake of the introduction of various development programmes, the administration is expected to function as a catalyst for development and change. It is commonly believed that local-level administration has not measured up to the expectations of the masses. This is because local bureaucracy has either been heavily influenced by political leaders, or because the bureaucrats treat themselves as the top brass of society and fail to gain local people's confidence, especially regarding development initiatives. There are essentially three types of problems with local bodies: overlapping jurisdiction, lack of representativeness and consideration of inclusion, and insufficient participation and accountability (Jayal 2007, p. 14).

The Indian constitution has laid a solid ideological foundation for sovereignty, democracy, socialism, secularism, equality, and justice. However, at the level of performance, there are certain deficiencies. People begin questioning the viability and role of the administration as an instrument for development. It is important to analyse whether the local bureaucracy has acquired the status of a new class in itself, or whether it is successful in contributing to development administration. When it comes to people's participation and developmental responsiveness in the context of local development, what is important is not how the system has been ideally conceived, but how it actually works. The following paragraphs present general observations about the working and performance of local administration, the aim being to help readers understand the practical aspects of local government in India.

- State governments are relatively inattentive to and unconcerned about local development; people are dissatisfied with the role played and the efforts taken by the state for local development. On the other hand, people mostly depend on the local government to meet their developmental needs, and most of them are unaware of how the local government functions. It is also observed that the local administration has failed to make the people aware of development

programmes. People lack information about various development schemes, and they seldom benefit from them.

- The local administration faces several problems in tax collection. People are generally unwilling to pay taxes. The local institutions have a huge financial deficit due to the paucity of financial resources accrued through tax collection. These institutions are therefore mostly dependent on the state government.
- There is a problem of overlapping and duplication of work. The local administration is not properly addressing the emerging problems of development and does not effectively implement the development schemes. There are financial irregularities in the implementation of development schemes. Nevertheless, very few people register complaints against the officials or non-officials of the concerned local bodies.
- The caste factor is dominant among the rural masses.² This always adversely affects the proper execution of public programmes and schemes and the functioning of panchayats. For instance, in Chhattisgarh State, a certain Dalit, Aghru Suryavanshi, from the village of Goud (in Janjgir district of Chhattisgarh), defeated his rival for a general seat during a panchayat election. This drew the wrath of the upper caste. Dalits in Goud have a long story of caste assault and aggression to tell. Another example is the panchayat elections of January 2000, when Mithailal Lahare was elected as the *sarpanch* (political head of village panchayat) under the reservation quota. The dominant upper caste people, who disliked the fact that Lahare held such an office, dismissed him after a no-confidence motion. These are classic examples of the harassment and humiliation of Dalits in their striving to achieve their political rights under social

²Caste stratification exists especially among the Hindus. This is a social situation specific to India. It has left the *Dalits* not only economically backward but also socially vulnerable. Due to their degraded social status, the *Dalits* are still treated worse than animals in many parts of the country. This social milieu acts as an obstacle in ensuring the participation of Dalits in developmental activities (for detailed elaboration of the issue see Suryakant Waghmore 2002). In several Indian states, there has been a sharp increase in violent manifestations of casteism ever since the local government system began functioning. When the PRIs have been seen by the upper castes as the tool for the lower castes to assert their right as individuals living in a democratic polity, the lower castes have become targets of caste-based discrimination and violence. This rising unrest at the local level has become a common phenomenon.

compulsion. Lahare stayed in office for about two years, after which power fell back into the hands of the non-Dalits who could better manipulate village politics (George 2007). Alleging discrimination by members of upper castes against Dalit sarpanchs in various village panchayats of Gujarat, the Ahmedabad-based *Dalit Adhikar Manch* (a Dalit rights forum) has demanded amendments to the Panchayats Act to protect the rights of Dalitsarpanchs in the state (*Indian Express* 2016).

- The gram sabhas play a key role in the effective functioning of panchayats, but the fact is that few people attend the meetings regularly. If the quorum at a meeting is incomplete, the meeting is cancelled. The approach is casual, apathetic, and non-participatory, and the local administration, particularly the village panchayats, have been unsuccessful in encouraging people's participation. If people do not participate in the democratic process, local development does not accelerate. It has also been observed that most of the village panchayats are not people-oriented, goal-oriented, flexible, or innovative.
- The failure of different local development programmes is attributed to the lack of co-ordination among different developmental agencies and the local government. There is also a lack of communication between the masses and the government, and among the developmental agencies themselves. The particular problems of particular areas are under-communicated. Although a local administration tries to communicate with the masses, there is still a big gap in the local communication system.
- The local administrators as well as leaders do not follow ethical standards. There is too much political intrigue at the local level.
- The local institutions are expected to play a crucial role in bringing about change in the lives of local people, but their work is unsatisfactory due to their non-performance and dishonesty. To deal with these issues, it is necessary to pay particular attention to both the content of what can be called development and to the interpretation of democracy. The assessment of development cannot be divorced from the lives that people can lead and the real freedom that they enjoy. Development can scarcely be seen merely in terms of increasing the number of inanimate objects of convenience, such as increases in personal income, or industrialization—important as these may be as means to the real ends. The value of such things

must depend on how they affect the lives and freedom of the people involved. This must be central to the idea of development (Sen 2009, p. 346).

The above observations indicate that the demands on the system of local governance to deliver effective services to citizens will increase in the days and years to come. But with the prevailing systems and procedures of governance, the options available to the government and civic authorities are limited. This situation calls for redefining the processes and procedures of governance and exploring new options. Local governance needs reforms that will enhance the credibility of its structures and systems; the people need respite from inefficiency and corruption; they need their local government to have a greater impact on the quality of their lives—without harassment and humiliation (Misra 2005, p. 284–285). Therefore, improvement in the local administrative system must be undertaken with serious considerations that are consistent with the changing conditions.

Seminars and conferences for all officials at all levels should be arranged. The policies, objectives, and goals of each agency should be stressed to the officials on various occasions, and they should be prodded to perform their duties satisfactorily. Elected representatives at the local level should make the appropriate decisions about people's concerns. Development issues must be discussed in forums of elected representatives, ranging from the parliament and state legislatures to the local bodies. The people must be taken into confidence (Chandrashekhar 2011, p. 208). To overcome the various problems in the local administrative system as discussed above, some remedies have been suggested: rigorous training, adequate staff with an attitude conducive to development, knowledge of office procedures, regular gram sabha meetings, models for local planning, adequate finances, proper supervision, monitoring, public ethics, and increased motivation. The entire success of local administration depends on the people who are responsible for implementing the local policies and programmes. There should be proper co-ordination between officials and non-officials, and honesty and sincerity are essential. The civil servants must follow ethical standard and be held accountable. The need to restore a sense of idealism and a spirit of dedication among the local bureaucracy will remain a real challenge for a long time to come.

CONCLUSION

The concept of grassroots democracy at both the rural and urban levels has not flourished in India. Some key reasons for this failure are the politicization of administration, the entry of criminal elements in elected bodies, rampant corruption, caste and group division, the prioritization of self-interest over public welfare, and electoral malpractice. The 73rd and 74th amendments seek to radically alter the relations of power at the local level by reserving seats for Scheduled castes, tribes, backward classes, and women. However, in the absence of proper education, training, and economic independence, these groups are unable to assert themselves. Illiteracy, poverty, and unemployment are the major challenges. Urgent steps need to be taken to deal effectively with these problems in order to facilitate participatory development. Although the provision of reserving seats for women has been manipulated by their male counterparts (mostly their husbands), it has certainly empowered women to some extent. They are increasingly becoming aware of their rights and responsibilities and are asserting themselves in certain cases. This is a very positive development. The two amendments have broadened the financial resources of the local institutions, even though they are still starved of funds. Local governments do have the power to collect taxes, but they are unable to collect enough. Consequently, the panchayats and urban bodies are unable to fulfil their role as self-governing institutions or carriers of economic and social development in the countryside. Local bodies are also subject to various controls by the state governments, who are authorized to cancel the local bodies' resolutions and even dissolve them. However, the 73rd and 74th amendments have made it compulsory for the states to hold elections for local bodies within six months of their dissolution. Despite this, no model of self-governance has emerged during the past 22 years in the form of any theoretical formulation, or evolution, or development of any practices. The constitutional amendments of the early 1990s were expected to provide support for strengthening precisely these things. The mandatory provisions are a step in the right direction, but no measures can succeed unless they are accompanied by a clear delineation of responsibilities and functions. This gap needs to be filled by appropriate changes in state legislation (Srivastava 2002, p. 3198).

It is necessary for ordinary people at the local level to participate actively in the democratically elected panchayats. This can be ensured

through gram sabhas. Through such bodies, the people can question and demand explanations from the panchayats. Gram sabha and ward committees can harmonize the needs and priorities of people and also plan the direction of local development. Local bodies, as the foundation of democracy at the grassroots level, can be strengthened only by being endowed with adequate administrative and financial power and by encouraging vigilance and the active participation of the people. It is probably the case that citizens of every country can remember with pride the times when, in the face of a great national emergency, almost the entire population joined together in a magnificent response to achieve miracles of patriotic self-sacrifice on behalf of the nation as a whole. But such moments are rare and cannot be sustained for long. If any nation desires to harness these latent energies for the general good, it must give them an outlet at the local level, in the neighbourhood communities where people live and work, where they know and are known. That is why local government really matters (Allen 1990, p. 119). The success of local administration depends on the enthusiasm it creates, the feeling of oneness that it generates among the local people, and the confidence it enjoys from all segments of the community. It should serve not only as a unit of local governance but also as an effective institution for securing social justice and fostering corporate life resulting in fuller employment. At the threshold of the twenty-first century, the new local government has the capacity to turn a new leaf in the lives of the local people.

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Public Administration in Sri Lanka: An Inquiry into Structure, Reforms, and Management

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INTRODUCTION

In General, the nature, scope, structure, and functions of public administration in a country are largely shaped by various dimensions of its historical and socio-political context. Woodrow Wilson stated that ‘public administration is the most obvious part of government; it is government in action; it is the executive, the operative, the most visible part of government, and is of course as old as government itself’ (Wilson 1887, p. 198). Public administration is an important feature of all nations, whatever their system of government. If the administrative structures of a country are not well-established, if the power and functions of its organizations are not allocated clearly and systematically, and if the inter-relations of the public organizations are not well-defined, then the administration of that country will not attain the nation’s goals. This shows the significance of public administration for effectively implementing national policies and programmes to achieve many general

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goals, as well as and socio-economic development and subjective human well-being.

A regulatory public administrative system was first introduced in Sri Lanka by the British colonial rulers in 1833. Since then, numerous reforms have been introduced and the public sector has expanded enormously due to citizens' needs and socio-economic and political changes in the country. Sri Lanka's present administrative institutions function at the central, provincial, district, and local level; they have been growing rapidly and now employ approximately 1,200,000 people. In 2012, the public sector comprised 15.4% of the country's total workforce, which indicates that there is one public official for every 16 citizens (Herath 2015, p. 19). The general feeling in the society, however, is that the country's administrative systems is unproductive, inefficient, corrupt, and not up to the standards, hence, a burden for taxpayers. Some of these weaknesses are systemic and thus related to the formal structures necessitated by the principles on which the modern system of government is based. Several studies have probed Sri Lanka's public administration, focusing on its structures, performance, flaws, and reforms (Bandara 2009, 2013; Collins 1951; De Alwis 2013; De Silva 2015; Nanayakara 2015; Root et al. 2001; Somasundaram 1997; Wanasinghe 1994; Warnapala 1974; Wijeweera 1988). Few of these studies have documented or examined the recent trends and patterns in the country's public administration. De Alwis (2013), Somasundaram (1997), and Priyantha (2008) have focused to some extent on New Public Management (NPM) but have not discussed the post-NPM phenomenon and how it relates to public management in Sri Lanka. The study presented in this chapter therefore intends to examine the public sector reforms and management with special reference to NPM reforms. It intends to fill a gap in the existing literature on public administration and management in Sri Lanka and to identify flaws in its NPM reforms, how they have been put into practice, and prospects for future reforms. By reviewing the major research on public administration in Sri Lanka, we expect to learn some positive aspects of the past reforms that can be useful for the future reform agenda.

Since the 1980s, public sector reforms and management have been an important discussion topic in the developing countries. In the case of Sri Lanka, there were two major reasons for initiating reforms: first, with the global wave of administrative reforms, namely the emergence of NPM,

international financial institutions put increasing pressure on the political leadership to undertake structural and institutional reforms. Second, the approach ‘welfare first and growth later’ started having a negative impact on economic growth, savings, income, and so forth. This was due to the public administration’s structural weakness, the patronage system, weak institutional capacity, poor personnel management, corruption, particularism, and poor bureaucratic quality. Such problems plagued many developing countries at the time. International financial institutions therefore developed a reform package and imposed it on the developing countries with a view to improving public sector performance. They wanted to achieve greater accountability and transparency but mistakenly assumed that a ‘one-size-fits-all-reform-package’ could do the trick. They did not take into consideration the local context and institutional working.

The implementation of NPM-inspired reforms made a considerable change in the scope, objectives, structures, functions, and strategies of public governance in developing countries, as they were guided by a business-like neo-managerial ethos and principles (Haque 2001, p. 1406). Sri Lanka was quite active in restructuring its governance, especially in shifting the role of government from direct intervention to indirect facilitation, transferring state assets to the private sector, reducing the size of bureaucracy, minimizing import restrictions, and creating a conducive atmosphere for the private sector.

One major argument for introducing the current market model of governance in Sri Lanka has been that it would improve administrative performance, policy effectiveness, enhance public service delivery and transparency and integrity, and strengthen public confidence in governance. After two decades of reforms, however, these aims have hardly been realized. Although the current market-led governance has been endorsed in the name of better performance, there is no visible improvement in public sector governance and effectiveness. Haque (2001) argues that the current trends of employment cuts and budget cuts in the name of increasing performance and efficiency may exacerbate financial and personnel constraints in the public sector, and thus worsen its performance in terms of quality and the availability of its services. He concludes that bureaucratic corruption has hardly diminished in South Asia, and the major components of this new mode of governance—managerial freedom, financial autonomy, and public-private partnership—are likely to make corruption endemic in these countries (*ibid.*).

OBJECTIVES AND METHODOLOGY

The objectives of this paper are threefold: first, to explain briefly the administrative structure of Sri Lanka, the proliferation of administrative institutions since the 1970s, and the power and relationships between the present administrative institutions at various levels of the bureaucracy; second, to examine the recent reforms introduced and their impact; and third, to analyse public sector management and performance and emerging issues in the public sector. This chapter is written based on a review of many documents and a survey of literature on public administration, public sector reforms, public management, NPM and the ‘whole of government’-based ideas, also known as post-NPM ideas.

THEORETICAL ARGUMENTS FOR NPM REFORMS

Since the 1980s, public sector reform has become an important area of concern in both developed and developing countries, largely in response to economic, political, and institutional changes, and to address heavy criticism of poor public sector performance and inefficiency. As part of these reforms processes, a reform paradigm called NPM emerged in Anglo-American countries and elsewhere (Samaratunga and Bennington 2002, p. 87; Klijn 2012). This approach advocates minimal government intervention in public service delivery and fostered a market philosophy in the public sector, the assumption being that the private sector is more effective and efficient than the public sector. The basic hypothesis is that market-oriented management of the public sector will lead to greater cost-efficiency and productivity for government institutions, without having negative side-effects on other objectives and considerations. As Ferlie et al. (1996) put it, NPM introduces three M’s into public service: markets, managers, and measurement.

NPM, known also as managerialism (Pollitt 1993), market-based public administration (Lan and Rosenbloom 1992), and entrepreneurial government (Osborne and Gaebler 1992), has been adopted by many nations, based on an argument of economic rationalism in private-sector management practices (Hughes 1998). NPM seeks to ensure better government with less cost (cited in Samaratunga and Bennington 2002, p. 89). These types of reforms shift the public sector towards a market-based state and organizational separatism: commercial and non-commercial functions are separated from each other, so also delivery

and regulation, policy advice and service delivery, and policy making and operation. They involve the abolition of unified career service and the introduction of decentralized personnel management, incentives for performance, short-term contracts, performance agreements, performance-based pay, principal-agent obligations, decentralized management and decision-making, accounting and financial management, competitive tendering, the contracting out of goods and services, and cost recovery under ‘user pay schemes’ (commercializing public service). NPM reforms largely emphasize the following:

- Improving the effectiveness and efficiency of government performance
- Adopting and practicing ideas and techniques from the private sector
- Privatizing and contracting out public services, parts of governmental agencies, and thereby improving effectiveness and efficiency
- Creating markets and semi-market mechanisms, increasing competition in public sector service provision
- Using performance indicators to measure public sector outputs.

One may be forgiven for assuming that such reforms would affect the public sector in developing countries, but such is hardly the case. There may be many reasons for the failure: long-standing dominance of central agencies in service delivery and decision making, a lack of political and bureaucratic willingness, corruption, a weak institutional setting, and the influence of traditional norms, culture, values, and practices of public institutions. Another reason could be that the reforms were suddenly and forcefully implemented, with little genuine attempt to consult the public organizations themselves in order to bring them around to the mindset of the reformers. Moreover, these reforms were centrally designed, and the power to implement them was concentrated in the hands of a small group.

The aim of most NPM reforms was to transform governments into leaner but more effective steering organizations. According to Osborne and Gaebler (1992), governments should be steering, that is, setting goals and trying to achieve them, instead of rowing. This helps address community needs and makes public policies and institutions more effective (Klijn 2012). Osborne and Gaebler advocate for an entrepreneurial government from the market point of view. They also emphasize more

control over public bureaucracy and other implementing agencies. This implies a separation of responsibilities between decision-making and delivery, thus between policy makers and service providers.

Pollitt and Bouckaert (2000) identify some incompatible attributes and objectives of the NPM principles, exposing them as contradictory in practice. For instance, there is a tension between gaining political control over public bureaucracy versus managerial autonomy. Similarly, there is tension between saving money versus improving performance, motivating staff versus weakening tenure, and improving quality versus cutting costs. These incompatibilities pose challenges when trying to realize the goals of NPM reforms in both developed and developing countries. Moreover, since the ideas underpinning NPM-related innovations and practices are largely dominated by Anglo-American theories and literature, NPM reforms have been less strong or viable in the developing countries because they have adopted a form of the principles that is coloured by their own national institutional setting and context. The NPM principles adopted by developing countries—for instance contracting out, public–private partnership, and creating semi-markets within the public sector—are therefore not fully successful.

In recent years, Sri Lanka has attempted to implement a range of NPM initiatives, but has not replicated the NPM ‘model’ as an entire package. There was an attempt by the Asian Development Bank (2004) to introduce some elements of the reforms which New Zealand introduced in the 1980s, such as result-oriented management and decoupling the policy and operational functions, but without success. Nevertheless, it appears that the recent reforms—the introduction of the Fiscal Management Responsibility Act (2003), the Management Assistant Service (2005), the Citizen-Client Charter (2006), and financial management reforms (2001–2007)—are all influenced by NPM ideas (De Alwis 2013).

Sri Lanka has also actively pursued the privatization strategy that began in the late 1970s. More than 50 state-owned companies have been sold, although the government has been more cautious to completely withdraw price controls from sectors like petroleum, railway, roads, telecommunications, airlines, and electricity. It did however sell significant portions of the gas company in 1995, the steel corporation in 1996, and the national airline and telecommunications in 1998 to various foreign investors. The government also raised revenue by selling enterprises in sectors such as light manufacturing and tourism (Haque 2001).

Although many efforts have been made over the years to reform the public sector, there has been no significant improvement in the performance and integrity of political and administrative institutions or in citizens' perceptions regarding the working of public institutions. The poor state of affairs adversely affects people's trust in governance, not to mention its legitimacy. Although the political parties who have formed successive governments have often used the rhetoric of reducing and replacing bureaucratic power by expanding the scope of market forces, especially to strengthen their electoral support, the parties themselves now struggle to maintain public trust in their political agendas (Haque 2001).

Pollitt and Bouckaert (2000) state that administrative systems are often difficult to change in more than incremental ways because of a certain entrenched culture and form of discipline. This is the case not only in Sri Lanka, but also in other developing countries. The administrative system of Sri Lanka is strongly aligned with its political system. From the 1970s onwards, following the abolition of the independent Public Service Commission (PSC), when its power was usurped by the cabinet, and after the abolition of permanent secretaries in 1972, patronage politics became progressively embedded in the administrative system. The reform initiatives of 1987, 1996, and 2001 attempted to de-politicise several agencies, but expected outcomes are yet to be achieved due to the political elites' reluctance to depart from the vested interests, patronage, culture, and discipline to which they are accustomed (De Alwis 2013; Haque 2001). Due to narrow vested interests, the reforms did not target the total removal of political hands from personnel management functions. The attempt to introduce a performance-oriented culture also failed. With the excessive number of ministries at present, the administrative system is more fragmented than ever. Consensual and corporatist ways of doing things are very rare in the political administrative arena—policy and institutional reforms have eventually become political placards.

Numerous factors impede the effective working of reforms in Sri Lanka, one major one being the centralized administrative system. Although there are sub-national administrative arrangements, policies and plans are generally formulated at the central level of government, and their implementation is also directed and controlled by central government agencies. The policies and programmes are more likely to be generic for all regions of the country, giving less importance to the

diverse needs and aspirations of local communities. Before saying more about the reforms, it is therefore pertinent to present and discuss the multi-level governance and its effectiveness in the Sri Lankan context.

MULTI-LEVEL ADMINISTRATIVE INSTITUTIONS: AN APPRAISAL OF THEIR WORKING AND CHALLENGES

At present, Sri Lanka has two types of administrative structures: first, de-concentrated administrative institutions working directly with the ministries, department, boards, and authorities as agents of the central government, and second, devolved administrative institutions, that is, provincial councils (PCs) and local governments. The country is administratively divided into nine provinces and sub-divided into 25 districts. These, in turn, are divided into 331 divisional secretariat divisions and 14,022 *gramaniladhari* (GN) divisions ('village officer divisions'). Each district, the divisional secretariat, and the GN division are led by an administrative officer of the central government (Ministry of Public Administration 2017).

According to the 1978 Constitution of Sri Lanka, the president, elected by the people for five years, is the head of the state and the government, and the commander-in-chief of the armed forces. The president appoints the prime minister, all cabinet ministers, deputy and state ministers, and high-ranking officers in the administration. The district secretaries, divisional secretaries and *gramaniladharis* (village officers) are recruited by the central government, and the line ministries and departments delegate their functions to them at each level. The main task of the district secretary is to coordinate the administrative activities of the central government, implementing development projects and assisting lower-level administrative agencies in their activities. These officers are given power and resources to administrate and deliver services in the relevant territories. They are generally referred to as street-level bureaucrats.

All executive officers, whether they work at the central, provincial, district, or local level, belong to the Sri Lankan administrative system. The personnel who do not belong to this system are the non-executive or technical, clerical, and field staff. The administrative officers working in the PCs are responsible to the relevant ministry and the respective department of the central government as well as to the provincial

ministry and department. The Provincial (PSC) employs non-executive members of various departments and ministries of the PCs. The local government administrative service was absorbed into the Sri Lanka Administrative Service in 1990, and the clerical and technical services which were under the Ministry of Local Government were given to the PCs. Although the districts, divisional secretaries, and gramaniadharies are required to give some services to the PCs, they do not come under the disciplinary control of the provincial administration.

Before the independent PSC was established through the 19th amendment to the constitution of 2015, any president elected by an island-wide electorate with an absolute majority could establish autocratic governance overriding the powers of the legislature and the judiciary. With the passage of 19th amendment, the PSC became an independent commission and was able to take charge of the public service by being granted power to appoint, promote, transfer, discipline, control, and dismiss public officers.

Provincial Council and Local Government in Sri Lanka: A Critical Note

PCs were established in 1989 as autonomous bodies with the objective of devolving political power to the provinces. This was mainly to resolve the ethnic conflict in Sri Lanka. PCs derive legislative, executive and judicial power from the 13th amendment to the 1978 constitution and from acts of parliament. A PC consists of a governor, chief minister, and four provincial ministers, chief secretary, and the elected members of the council. It has a separate legislature, board of ministers, provincial public service, and PSC. The governor, the nominal head of the executive of the PC, is appointed by the president of the country, from amongst retired politicians and administrators or reputed citizens. The power of the governor includes summoning, prorogating, and dissolving the PC, but also making statutes. According to Article 154 H (2) of the constitution, 'every statute made by a PC shall be presented to the governor for his assent'. The governor has some discretionary power, and he may be guided by the president of the country in exercising control over the PC administration (Amarasinghe 2010, p. 151; Marasinghe 2009, p. 57). The chief secretary, appointed by the president from senior administrative officers, is the head of the provincial administration.

The 1978 constitution brought public administration directly under the control of the president. Under the PC system, the chief minister has the responsibility to link the central government to the PCs and to manage the PC administration. The local government administrators are also absorbed into the PCs. Thus, the public service of the country is now virtually subservient to the politicians in the central government: the president, or the relevant ministry, can influence the appointment, promotion, transfer, disciplinary control, and dismissal of public officials. This has created a 'bureaucratic imbalance': the public administration fails to stand in-between the 'despot and subservient' (Navarathne-Bandara 2009, p. 10). Although post-independence constitutions were promulgated and administrative changes were introduced with the objectives of achieving efficient administration and rapid development, the system has slid towards excessive politicization.

According to the 13th amendment to the 1978 constitution, legislative authority over various matters is divided between three 'lists': the provincial council list, the concurrent list, and the reserved list. The PC list specifies the powers and functions under which a PC may pass statutes in relation to its respective province. Some PCs have exercised these powers and made laws mainly related to infrastructure, social welfare, provincial transport, and building institutional structure, despite the central government's intervention. Although the PCs have been constitutionally assigned the responsibility for land-use matters of land and police, in practice, these are still in the hands of the central government.

The matters set out in the reserved list (a provincial council cannot exercise any power with respect of any subjects on this list, nor can it pass any statute with regard to them; they are matters over which the central government has control) are as follows: making national policy on all subjects and functions related to defence, security, justice, foreign affairs, finance, national revenue, ports, harbours, aviation, national transport, state land, mines, immigration, emigration and citizenship, elections, census taking, and statistics (9th schedule of the 1978 constitution). This list has strengthened the authority of the central government in making national policies on all important matters. The concurrent list enumerates matters over which both the central government and the province can legislate. In other words, a PC can exercise power over the subjects on this list, but before it passes a statute on any given matter, it should consult the parliament for its opinions on the provisions contained in the

statute. When the parliament wants to pass an act related to a subject in this list, it can do so provided it consults the PC about the provisions of the act (Provincial Councils Act No. 42 of 1987). However, in reality, in exercising power over the items on the concurrent list, the central government seldom consults with the PCs, as required under the constitution (Amarasinghe 2010, pp. 146–147).

In the case of Sri Lanka, the PCs function as sub-national governments, they not only implement laws and policies made by themselves, also implement the laws and policies of the central government.

Although the PC structure makes the province the main administrative unit of a region, the district administration structure introduced by the colonial rulers continues as the major administrative arm of the central government. There are thus two parallel systems of administration in each province: one under the PC, and the other under the central government, operating through the district secretary, the divisional secretary, and the gramaniadhari. With two authority structures sharing responsibilities for service delivery, there have been serious problems in coordination which result in the duplication of staff and work. This is also partly because the responsibilities assigned for the two levels of government are unclearly demarcated, and partly because the central government continues to maintain ministries and units of administration that carry-out the responsibilities constitutionally assigned to the PCs.

Furthermore, there are conflicts between PCs and the central government's authorities, boards, and agencies, which have been established with the purpose of delivering services and implementing development programmes. After the PCs were created, it was expected that all such bodies would coordinate their activities with the PCs in carrying out their duties. However, as Amarasinghe (2010, p. 149) shows, coordination has been poor, and the central agencies have been functioning independently. Similarly, the development projects carried out and financed by the central government (such as *divineguma*—development of livelihood, and *gamaneguma*—village development) have also been usurping the power given to the PCs and not coordinating their activities with them.

Local Government Authorities: Problems of Institutional and Financial Capacity

The local governments (municipal council, urban council, and *pradeshiyasabha*—a third-tier legislative body) mainly work on roads, sanitation,

drains, housing, libraries, community halls, public parks, recreation facilities, and so forth, in their territories. Their power to make laws is minimal, and they mainly deliver public services as directed by the central government and the PCs. The local governments are supervised by the Minister of Local Government (in the central government) and by respective ministers of the PCs. The PCs have used the Transfer of Powers Act, No. 52 (1992) to adopt the divisional secretariats as their agents. This means that in practice, they have opted to work through the divisional secretariats rather than the local governments. Thus, the responsibility for development has been given to de-concentrated agencies (under the district and divisional secretariats) and even some service delivery previously located at the local level has been re-concentrated at the district and divisional levels. The establishment of PCs has created a mixture of administrative delivery systems and complexified provincial and local administration. It has marginalized local government in the inter-governmental context of multi-level governance (Gunawardena 2010, p. 197).

As intimated, there are many cases where there is no clear distinction between the power and functions of PCs and that of local governments. We also find local government activities being supervised by PCs. The central government and the PCs quite often delegate their functions to district and divisional secretaries since it is easier for them to coordinate administrative activities through established administrative structures. Similarly, due to the lack of proper training and the experiences of members of elected local bodies, the central government and the PCs try to depend more on the de-concentrated institutions. The result has been a zero-sum inter-governmental situation that undermines the role and functions of local government in a democratic governance set-up (*ibid.*, p. 198). Therefore, administrative reforms introduced during the last six decades to change public administration from a rule-imposing to a customer-driven service-delivery approach have come to naught.

Since independence, several commissions (the Choksy Commission of 1955, the Hicks Committee of 1957, and the Committee of Inquiry in 1972) have highlighted the weaknesses of the local governments, for instance their insufficient power, funding, and other resources, structure-related problems, local representatives' insufficient training in governance, and waste of public funds. Nevertheless, no effective measures have been taken to reorganize the system, apart from renaming the

responsible ministry ‘the Ministry of Public Administration and Local Government’ (Kamalawathie 1984, pp. 9–12).

ADMINISTRATIVE REFORMS IN SRI LANKA AFTER THE 1970s: RELEVANCE, IMPACT, AND ISSUES

Although ‘administrative reform’ has been defined differently by different scholars, most would agree that it points to changes which are deliberately thought out and adopted to make the administrative system of a country more effective, or to instigate social change. An administrative reform could be an instrument for bringing about political equality, social justice, or economic growth. Sri Lanka has experienced many waves of reform over the years, even though not all the reforms have been implemented in full. In this section of the chapter, we mainly examine the reforms that have taken place since the 1980s with the introduction of economic liberalization. The United National Party, which came to power in the late 1970s, adopted privatization as a policy measure to respond to an economic and financial crisis. In the name of liberalization, it adopted several approaches: limited liability companies, private management contracts, the creation of subsidiaries, joint ventures, de-monopolization, and the creation of competition between service providers. The purpose of privatization was to improve efficiency and productivity through private capital investment, technology, and expertise. It was also intended to reduce the burden on the government budget (Central Bank 1998, cited in De Alwis 2013), to maximize government revenue by selling off assets, and to use the earnings to repay public debts.

The Administrative Reform Committee (ARC) of 1986 and its constructive and realistic recommendations continue to be seen as important reform initiatives. The ARC examined the fundamental flaws of the public institutions and suggested which reforms were required in government ministries and departments. The committee’s nine members (all Sri Lankan citizens) had strong backgrounds as eminent practitioners in the public and the private sector. The ARC identified deficiencies in three key areas of public administration, all of which obstructed progress: the structure, personnel system, and work systems and procedures (De Alwis 2013).

In 1990, a UNDP mission was invited by the Treasury to develop a programme for improving public sector management. Its report was accepted by the government on the recommendation of the Ministry of

Finance and Planning. A Restructuring Management Unit (RMU) was set-up in the Ministry of Finance (Nadarajah 1997, p. 261). Initially, the RMU worked in accordance with the UNDP programme, but at the request of the Secretary to the Ministry of Policy Planning and Implementation, it shifted its focus to the divisional secretaries to support decentralization efforts (De Alwis 2013). Finally, in 1994, the UNDP evaluation mission recommended terminating the project due to its failure to contribute to substantial changes in the public service.

In 1996, President Chandrika Kumaratunga requested international assistance to reform the public sector (Root et al. 2001, p. 1358). The report following from this focused on three general areas: the need to review and revise public administration structures, the need to rationalize public sector cadres, and the importance of result-based management systems and procedures. The consulting team found that routine and mundane decisions were being made at ministry levels which were too senior, thus hindering efficiency. Furthermore, many senior appointments in the civil service represented a variety of special interest groups and parties, permitting politicization of the civil service. Strategic planning was almost completely lacking, particularly for development programmes (*ibid.*, pp. 1360–1361). The report, which was enthusiastically endorsed by the president and approved by the parliament, provided a proposal for the complete reform of the system. It included six key components (*ibid.*, pp. 1361–1362):

- Create a strategic policy and coordination system to achieve policy outcomes more effectively
- Adopt a result-oriented philosophy as the guiding management principle
- Realign responsibilities to support the goals of the government
- Separate policy making, service delivery, and regulatory functions of the government
- Train staff to more effectively realize their potential and to respond to the new environment
- Redeploy staff to new function within government or new opportunities in the private sector.

This mission also recommended establishing an Administrative Reform Management Division (ARMD) under the president, and a Management Council chaired by the president. Although the recommendations were

accepted and ARMD was established by the government, all with the aim of reducing the number of ministries and streamlining their tasks, many new ministries ended up being created. Yet another attempt to improve the public sector's productivity ended in fiasco (De Alwis 2013, p. 205).

Reforms Since 2000: Towards Managerial Aspects

The United National Party government introduced a Fiscal Management Reform Programme (FMRP) in 2001, based on three major pillars: strengthening the fiscal framework under the Fiscal Management (Responsibility) Act, streamlining taxation policy, and strengthening institutions in revenue administration to create a modernized revenue administration (ADB 2004). This programme was meant to improve the government's transparency and accountability and to introduce good governance practices.

In 2001, the then-government enacted the 17th amendment to the constitution, which paved the way for setting up independent commissions to oversee key areas of governance—public service, judicial service, police, elections, human rights, and to investigate cases of bribery and corruption. The term of office of the first PSC under the 17th amendment expired on 1 December 2005. From 2 December 2005 to 17 April 2006 and during 2009 and 2010, the PSC became defunct due to the non-appointment of the Constitutional Council. With this as background, the 18th amendment to the constitution was enacted in 2010. This has been seen as one of the worst pieces of legislation in Sri Lanka, for it fully politicized the public service and promoted political patronage. The new amendment has effectively annulled the 17th amendment and enabled the president to make direct appointments to the independent commissions including the PSC.

In April 2010, a separate cabinet ministry—the Ministry of Public Management Reforms (MoPMR)—was established for the first time in Sri Lanka, with the intention of creating citizen-friendly, productive, and efficient public service. The MoPMR implemented five main programmes (Performance Report 2011, p. 5):

- Establish and re-activate management-reform cells in government ministries and public institutions
- Coordinate the amending of service minutes and recruitment schemes

- Review the functions and work processes in 20 selected government institutions
- Establish 17 skill-development units at district secretariats
- Conduct capacity building programmes at the district level for public servants attached to the divisional and regional offices during the year 2011.

Acting upon a presidential directive, the MoPMR also established the National Administrative Reforms Council (NARC) to provide guidance in formulating national administrative reforms and programmes and in selecting appropriate strategies for public sector performance improvement (Performance Report 2011, p. 15).

PUBLIC SECTOR MANAGEMENT: ISSUES AND CHALLENGES

Much of the literature on the welfare state focuses on problems encountered by the public sector. It is argued that unrestrained public sector expansion results in public-policy failure due to communication problems, a lack of coordination and of reliable means-end technologies, not to mention a lack of public revenue (Lane 2000, p. 14). Further, a lack of managerial skills, poor innovation, inability to manage portfolios, poor market analysis, and lacks in the areas of internal capability, information management, evaluation and monitoring, knowledge, and leadership also lead to public-policy failure and poor performance in the public sector. Especially in the developing countries, regime changes, political instability, and politicization of the public sector also affect public sector performance (De Alwis 2013). Although the Sri Lankan public sector has been playing a key role in public service delivery, it still suffers from serious problems. According to the Weberian construct, a public official must be of 'steel frame', guided by rules, regulations, and procedures governing the day-to-day work. The Sri Lankan public sector, meanwhile, is alleged to be too inflexible and rule bound to respond to changing needs (Nanayakara 2015, pp. 89–91). Manuals and routines take precedence over creativity. Seniority is purported to be more esteemed than merit. Hierarchy acts as the backbone of the system. In general, the Sri Lankan public sector is heavily criticized for being ineffective and not meeting the demands and aspirations of the people. It is claimed that it pays more attention to input and the following of rigid rules, regulations, and procedures than to output or outcomes (De Alwis 2013).

Public sector officials act more as generalists and much less as specialists. In the British context, the term ‘generalist’ was used to describe a gifted amateur or an all-rounder with a liberal education. In Sri Lanka today, induction training is planned in such a way that leaves almost no scope for a non-generalist orientation (Nanayakara 2015, pp. 89–91; Navarathna-Bandara 2009). Recruits to the civil service are shuffled for short spells from one department to another, so frequently that they scarcely get a chance to develop technical expertise. This also negates their loyalty to a particular organization, as they belong to a particular service or cadre and, hence, display more loyalty to that service or cadre. Nevertheless, a high degree of specialization is required to handle complex tasks at the different ministries. It should be possible to resolve some of the problems in the public sector by designing a comprehensive induction programme for newly recruited public servants, which would focus more on building managerial competency in all aspects.

Sri Lanka’s government is heavily criticized for maintaining a huge public sector. It has been pressured by the World Bank, the Asian Development Bank, and the International Monetary Fund to downsize its public sector in order to enhance effectiveness and efficiency. With this aim, successive governments have implemented some reforms, but the expected results have not materialized. Since 1990, the number of public sector employees has increased by around 40%. This amounted to 18% of the total labour force at the end of 2016. However, there was a slight decline between 2000 and 2005. In 2001, the United National Party government suspended recruitment to the public service by abolishing existing vacant posts (Management Services Circular No. 16, 2002). Nevertheless, such efforts were unsuccessful, and in 2004 the suspension was lifted by the new government, which recruited 12,000 unemployed graduates that same year, and another 41,480 in 2006 (Ministry of Finance and Planning 2005, 2007). Again in 2012, some 30,000 graduates were recruited to the public service, out of which 2700 were teachers and 25,201 were development officers. With the expansion of infrastructure in recent years, development initiatives have increased considerably in areas such as irrigation, road development, power generation and transmission, ports and airport development, and housing and urban development. The number of engineers and technical officers in the public sector has also increased considerably. Table 13.1 illustrates the cadres in Sri Lanka’s public sector.

Table 13.1 Classification of cadre by sectors—2012

Sector	<i>Central government</i>							Total	%
	<i>Public service</i>	<i>Semi government</i>	<i>Commercial entities</i>	<i>Provincial councils</i>	<i>Local authorities</i>	<i>Total</i>			
Security, law and order	419,918	419,918	2118				424,064	33	
Civil administration	46,754	4345	1917	28,712	16,977		98,705	8	
Education	37,477	30,183	—	222,628	—		290,288	23	
Health	60,085	179	2618	60,190	9871		132,943	10	
Social development	12,302	3356	—	2607	7000		25,265	2	
Agriculture	34,468	7993	6367	9972	44		58,844	4	
Industry and commerce	7540	7846	8627	1765	—		25,778		
Infrastructure	49,974	49,832	82,947	3778	15,389		201,920	16	
Banking	—	—	22,042	—	—		22,042	2	
Total	668,518	105,762	126,636	329,652	49,281		1,279,849	100	

Source: Treasury Report (2012), Central Bank of Sri Lanka

The in-depth review of existing literature indicates that Sri Lanka's public service encounters managerial problems such as weak public-policy management, reluctance to engage in horizontal consultation in decision making, poor client orientation in delivering public services, a mismatch of emergent task-demands with the available knowledge and competence of human resources, an absence of system-wide accountability and transparency in conducting government business, outdated systems and procedures unsuited to modern demands for the effective flow of public business, inefficient management of resources, low productivity, poor information management, overlapping and informal or ad hoc ways of allocating responsibilities, a lack of job-oriented and effective training, and excessive politicization.

Of all these problems, the most alarming is the politicization of the public sector at all levels. This significantly affects the productivity, performance, and dignity of the public sector. Politicization means that political criteria are substituted for merit-based criteria when selecting, retaining, promoting, rewarding, and disciplining members of the public service (Peters and Pierre 2004, p. 2). Owing to politicization, both the productivity and human resource management of Sri Lanka's public sector have been compromised. The success of the public sector largely depends on managing human resources wisely. In this context, it is imperative to balance the ratio of human-resource input and public service output. The following components are vital for ensuring the effective functioning of the public sector:

- Effective scheme of recruitment
- Effective scheme of evaluation
- Effective method of training
- Effective scheme of motivation.

The problems outlined above, due to various political and bureaucratic reasons over the last three decades, have not been resolved by NPM reforms. Instead, such reforms have led to a greater fragmentation of public institutions, poor coordination, politicization, strong centralized control, a lack of holistic management strategies, a lack of joint initiatives and targets, a lack of procedural fairness, unprofessionalism, partiality and unethical norms, and so forth. This has been the case in many developing countries that have more recently introduced post-NPM reforms, with the view to surmounting the above-noted flaws. One can

argue that the NPM reforms adopted in Sri Lanka have been detrimental to the Weberian model of bureaucracy, particularly to the impartiality and professionalism that are important elements for measuring the quality of a government. This is why theorists of citizenship, organizational humanism, the new public administration, and postmodernism have helped to establish a climate in which it makes sense today to talk about a 'new public service' (Denhardt and Denhardt 2007, p. 42). This largely focuses on seven aspects: serving citizens not customers, seeking the public interest, valuing citizenship over entrepreneurship, thinking strategically, acting democratically, recognizing that accountability is not simple, serving rather than steering, and valuing people rather than just productivity. These could all be termed 'whole of government' ideas.

All these ideas express how the spirit of public service should extend beyond the traditional system and emphasize the importance of citizen engagement and democratic values to enhance governance processes. This opens an avenue for the successive governments to consider readjustment to address critical issues in the public sector. Still, borrowing or transferring management reforms from the West remains a serious concern in Sri Lanka and other developing countries. If problems related to this can be understood and addressed, it could help overcome many governance issues. In the public sector reform process, cultural, social, economic, ecological, and political aspects need to be given top priority. Unless reformers focus on the cultural aspects of the civil service and the nation as a whole, the whole effort of reforming the public sector will be in vain, as is evidenced in many countries (Lie 2007). This should be an eye opener to developing countries who are involved in reform processes, as what we are working on is nothing less than a cultural transformation in how civil servants and citizens perceive their relationships and their mission in the context of current governance.

In short, an efficient, responsive, professional, impartial, transparent, and accountable public administration has become a prerequisite for the proper functioning of a nation. In this regard, Sri Lanka's public administration requires the attention of policy makers in order to restore the productivity of the state sector in line with the above principles. This chapter informs the policy makers of the fact that most of the public administration reforms that have taken place in developed countries have generally consisted of some common elements that are based on the socio-economic and political status of those countries, and that in

many aspects, these are quite different from what one finds in the developing countries. When the developed countries invented or introduced these reforms, they had already achieved the expected development in most of the earmarked areas of society. Therefore, paying attention to the national and local context in which a reform concept is introduced is vital for ensuring democratic governance in a country. As Pollitt (2004) argues, it is vital to understand that management reforms can seldom just be bought ‘off the shelf’ but need to be co-produced by the reformers and the local organizations who are to undergo reform. Sri Lanka’s public sector officials form a powerful lobby at the national level, and they will certainly resist any proposal that threatens their position—especially if the proposal aims to remove the constitutional protection given to them—even when the objective is to make them more professional and accountable to the public.

CONCLUSION

This study illustrates that the Sri Lankan administrative system, since its inception, has not experienced radical transformation. Despite reforms, it has managed to maintain the status quo of being rule oriented rather than result oriented, and as such, the provision of quality service delivery has remained a myth rather than a reality. Many reforms have been initiated under different regimes. However, instead of becoming citizen-friendly and service-oriented, the administrative system has been politicized and subordinated to political, sometimes narrow, goals. The consequence is a complex, inefficient, corrupt, over-centralized, and highly politicized system. Even the ideas and principles of NPM in the 1980s and 1990s failed to create a serious dent in the operations of the administrative system. The country’s public service has been a slow reformer and displays a mixture of traditional and modern administrative practices making it a highly complex system. It is neither rule oriented nor result oriented, which make it susceptible to informal norms, rules, and practices. It is time to change the public participation paradigm, for Sri Lanka must move in a new direction. At present, it seems that more attention is being given to the contents of reform programmes, yet without sufficiently analysing operational arrangements, institutional capacity, ecological factors, and contextual matters with a view towards addressing the fundamental flaws of public sector institutions.

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The Development of Public Administration in the People's Republic of China: An Analysis of Administrative Reform

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INTRODUCTION

The People's Republic of China (PRC)¹ is a unitary state ruled by the Chinese Communist Party (CCP). Policies are made by a relatively small number of actors who are affiliated in various ways to the party and state. The Politburo of the CCP and its Standing Committee sit at the apex of the political system. They, together with the party secretariat, make policies, and in collaboration with different small state-led groups, study

¹In international affairs, the People's Republic of China claims to represent all of China. In economic affairs, it operates according to the principle of 'one country, two systems'. While mainland China has a socialist system, Hong Kong, Macau practice a capitalist system. Taiwan also has a capitalist system.

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specific issues. Politburo members undoubtedly also consult a small circle of semi-retired party elders on critical policy issues and personnel appointments. Party committees, organized at each administrative level of the hierarchy, play an important role in coordinating and supervising state institutions at each level and in representing local interests to the higher-level party agencies (Aufrecht and Bun 1995).

In 2015, the State Council consisted of 35 members. It was headed by the premier and otherwise included one executive vice premier, three vice premiers, five state councillors, 25 additional ministers, and chairs of major agencies. The State Council was responsible for managing a centrally planned economy with a relatively large state sector. Supra-ministerial commissions, such as the State Planning Commission, had responsibility for long-term planning and coordinating the activities of complex networks of the economic management bureaucracy that directed heavy and light industries, finance, energy, and transportation.

Below the central level, the country was divided into 22 provinces, five autonomous regions, and three centrally administered cities (Beijing, Tianjin, and Shanghai). The government at this level, headed by a governor or mayor, was typically organized into 50 or 60 departments, each being further sub-divided into divisions and sections. Each provincial-level government employed up to 1000 people, of whom approximately half were administrators, managers, or technical personnel.

Bureaucracy at the sub-provincial level was also involved in planning and micro-managing the economy. China's provinces were divided territorially into 1408 counties and 913 districts. County governments, each headed by a county magistrate, were typically organized into 30 departments and employed up to 700 people in both the administrative and auxiliary positions. The provincial governments also established a total of 334 prefectures, that is, intermediate-level units that linked clusters of counties to provincial authorities. Counties, in turn, were sub-divided into 40,466 towns and townships. Local government bureaus came under the 'dual rule' of local party or state leaders on the one hand, and higher-level agencies on the other. Table 14.1 gives an overview of the administrative divisions of the PRC as of 2015 (Denigan 2001).

HISTORY OF THE CHINESE ADMINISTRATIVE SYSTEM

China's administrative system has the longest history in the world (Yang 2003). According to reliable historical data, a rudimentary administrative system was established during the Yin Dynasty, which lasted from

Table 14.1 Administrative divisions of the People's Republic of China

<i>Levels</i>	<i>Name</i>	<i>Types</i>
1	Provincial level	Provinces (22), Claimed province (1) Autonomous regions (5), Municipalities (4) Special administrative regions (2)
2	Prefectural level	Prefecture-level cities (291), Prefectures (10) Autonomous prefectures (30), Leagues (3)
3	County level	Counties (1408), Districts (913) County-level cities (360), Special district (1) Forestry district (1), Autonomous counties (117) Banners (49), Autonomous banners (3)
4	Township level	Towns (19,683), Townships (12,395) Sub-districts (7194), District public offices (2) Ethnic townships (1085), Sumu (106) Ethnic sumu (1)
5	Village level	Village committees (623,669) Neighbourhood committees (80,717)

Source Statistical Yearbook of the Republic of China 2014

about 1766 to 1122 B.C. It was during this era that the feudal system was established.

In the Chan Kuo era (481–221 B.C.), the old feudal arrangement decayed and new monarchies arose. Chan united China in 221 B.C. and claimed the title of Shih Huang Ti (the First Sovereign Emperor). Shih Huang Ti eliminated the feudal system and extended the local system of prefectures and counties to the whole of China. He also developed the structure of the central government as subordinate to himself as emperor. The basic principles of this imperial system remained unaltered until the establishment of the Republic of China in 1912. The Han dynasty, founded in 202 B.C., established a civil service system that was followed by later dynasties. It had four main features: recruitment was open to all who possessed proper qualities; it developed a system of ranks and salaries; personnel could be promoted from the lowest to the highest grade; and there was no distinction between central and local government.

These four features were practiced during subsequent dynasties. It was under Yang Ti of the Sui Dynasty that a regular competitive examination system was established. It played a key role in disseminating the

Confucian worldview throughout Chinese society, and its significance cannot be overvalued with respect to traditional Chinese society, politics, and administration. It goes without saying that this system helped the government recruit capable public servants.

In the later Ch'ing Dynasty, beginning with the Opium War (1839–1842) between China and Great Britain and its resulting Nanking Treaty, imperial China suffered defeat in a series of wars against imperialistic countries. It signed treaties which it considered 'unequal', in the sense that the negotiating nations did not treat each other as equals, nor were China's sovereign rights respected. To cope with the defeats, the Ch'ing authorities made many domestic political reforms, but with little success as a whole.

In 1912, after the Republic of China was established, the new central government was incapable of governing the country. China was in reality fragmented and controlled by different political forces in different regions. The old civil service system had collapsed but no new system was developed, and the various political forces used their own systems to suit their own preferences. It was not until 1927, when the new central government was established in Nanking, that a civil service system was re-developed. Due to civil war and World War II, however, the Chinese political situation was unstable, and the new system could not be institutionalized in all governmental agencies and at all levels of the government. After the central government was relocated to Taiwan, the PRC was established in 1949. The PRC has had political stability for more than 65 years and has made a new institutionalized civil service system.

THE BASICS FOR ADMINISTRATIVE REFORM

China's economic development since 1979 has exerted pressure for administrative reform. One consequence of economic reform has been recurrent government budget deficits that have encouraged cost cutting. Not surprisingly, attempts to streamline the government has generally followed years of relatively large or rapidly-growing budget deficits.

The gradual move towards a market economy in the 1980s also required rethinking the functions of the government. Bureaus charged with central planning, for example, became increasingly redundant as the scope of planning shrank. It was necessary to establish new agencies that could manage the economy using market mechanisms through the banking and taxation systems. Consequently, beginning in 1988, the idea of changing the functions of the government became the central theme of reforms.

The increasing complexity of managing a large market economy also revealed the need to improve the quality of government decision-making. This could be done through decentralization, that is, to give responsibility to those who had the best information to make decisions about the economy, especially to local governments, producers, and consumers themselves. Improving the quality of decision-making also meant raising the standard of the cadre corps by increasing educational levels, imposing retirement ages, and managing personnel more effectively.

THE FEATURES OF ADMINISTRATIVE REFORM

Thirty years ago, China launched 'reform and opening up'.² The country began reforming its administrative processes. To understand this, it is important to understand a few basics regarding how the reforms are devised and implemented. China's administrative reform began in rural areas. Targets were set and experience was gained at the grassroots level. With this as the starting point, the CCP and the central government developed a five-year incremental programme for the whole country, and they have led the reforms every step of the way. There forms serve the system of economic management and develop in accordance with the decision-making procedures proposed by the CCP. The Central Committee recommends a five-year institutional reform, the State Council proposes the programme for the five-year plan, and the National People's Congress (NPC) evaluates and approves it.

TYPES OF ADMINISTRATIVE REFORM

Decentralization

During the 1980s, the Chinese government adopted policies to decentralize public finance, foreign trade, management of the domestic economy, and personnel administration. Beginning in 1980, after several

²'Opening up' refers for the most part to opening the country up to foreign investment, international trade, and certain elements of a market-based economy. Before 'reform and opening up', China's economy was close to collapse due to several decades of political campaigns and class conflicts. The situation was also partly due to the implementation of a planned economy since 1949, when Chinese Communist Party came to power and established the People's Republic of China.

years of experiments, the management of financial revenue was devolved to the provincial governments. In particular, the central government began signing revenue-sharing contracts with provincial governments. Because this policy enabled provincial governments to bargain with the central government over their remittances, the reform increased the power of provincial governments substantially. Provincial governments with a strong potential for economic growth, such as Guangdong Province, were thus able, during the early 1980s, to limit their contributions to the central government (Shirk 1990).

To have Chinese businesses compete more effectively in overseas markets, the central government decentralized the management of foreign trade. Beginning in 1978, the government ended the Ministry of Foreign Trade's monopoly of foreign trade, which it had exercised through nine state import–export corporations. The central government authorized local governments and various state agencies to sign foreign trade agreements directly (Endean 1991). Consequently, the number of import–export corporations, mostly operated by local governments, grew to over 1000 in 1984 (Sung 1991) and were estimated to number more than 100,000 in 2016.

Local governments nationwide have gained power at the expense of the central government. This new power is based in part on the local governments' control over a significant share of industrial production. Non-state-owned enterprises controlled mostly by local governments had already, by 1988, started producing one-third of the country's industrial output (Zinser 1991). In addition, local governments had their own means of earning foreign exchange and controlled China's system of tax collection. As a result, control over the economy during the 1980s and early 1990s shifted from the centre to the provinces.

The trend towards greater administrative decentralization, however, has been punctuated by periods of re-centralization. For example, authorities reacted to the economy overheating and relatively high rates of inflation with measures designed to curb spending on capital construction projects, reduce credit, restrict the money supply, and increase remittances from the provinces to the centre. In 1990, the CCP also partially re-centralized control over personnel selection by extending its control to the prefectural level in some cases. These policies temporarily stalled economic growth but did not fundamentally reverse the long-term trend towards greater decentralization.

GOVERNMENT RESTRUCTURING

Administrative reform in China has involved two types of government restructuring. First, reforms have involved streamlining or downsizing government agencies, principally to cut administrative expenses and to rationalize government functions. In the major organizational reforms of 1982, 1988, and 1993, streamlining was a major objective. In 1982, for example, authorities reported that they cut the number of State Council agencies from 100 to 61 and the number of employees from 51,000 to 30,000. In the 1988 restructuring, officials reportedly reduced the number of ministries and commissions from 45 to 41, the number of directly subordinate bureaus from 22 to 19, and the number of State Council employees from about 50,000 to 44,000 (Burns 1989).

The authorities have pledged that no staff will be left unemployed as a result of the current round of restructuring. Rather they will be absorbed by service units, such as research institutes, schools, and hospitals attached to government agencies and economic enterprises, many of which have been set up by government agencies or local governments. Some staff will be retrained or asked to retire or encouraged to find jobs in the growing private or joint-venture sector (*South China Morning Post*, 25 March 1993).

The reforms have taken several forms. First, they have involved strengthening the capacity of agencies charged with macro-management of the economy. Within the State Council, authorities have expanded and strengthened agencies such as the State Auditing Administration, the State Statistical Bureau, the State Administration for Industry and Commerce, and the State Administration of Taxation (White 1991).

Second, government restructuring has involved removing from the government many so-called 'micro-management' functions and turning them over to economic enterprises. Recent policies have given state-owned enterprises (SOEs) more autonomy to set prices, make personnel decisions, determine investment plans, borrow, design marketing strategies, and engage directly in foreign trade (Wu 1992). All these functions were previously performed by various government agencies.

Third, the reforms have sought to increase administrative efficiency in some government agencies. In the 1988 reforms, for example, the Ministry of Petroleum became the National Petroleum Corporation.

DEVELOPMENT OF CHINA'S ADMINISTRATIVE REFORM

Since 1949, China has initiated a series of administrative reform programmes. Some of these (1954–1956, 1959–1961, 1968–1970) were intended to meet socio-economic challenges. By and large, however, the early reforms focused on strengthening the central government, Marxist theories on socialist governance, the traditional Chinese administrative model, and political culture. Political movements and class struggles were also important issues in the early reform processes (Zhou 1996).

Since 1978, significant and far-reaching reforms have shifted the focus to economic development (Falkenheim 1980). These reforms have de-collectivized agriculture, opened the country to foreign investment and trade, granted more autonomy to state-owned economic enterprises, permitted the re-emergence of a private economy, and allowed the prices of many commodities to be determined according to supply and demand. These reforms have thus moved the country away from a centrally planned economy dominated by the state sector, towards a market economy with a growing collective and private sector. In October 1992, following an initiative by Deng Xiaoping, the 14th National Congress of the CCP officially recommended a 'socialist market economy' for China.

Prior to this, however, China's leaders had also begun implementing reforms in public administration. While being socialist in nature, these administrative reforms were meant to harmonize with the trend towards a market economy. Deng Xiaoping, in 1980, published the so-called 'Party and State Leadership Reform' speech, where he analysed the shortcomings of the existing administrative system and pointed out the direction and the main tasks for its reform. In 1982, 1988, and during 1992–1993, the political leadership attempted to streamline the central government and local governments and to restructure the functions of the government as a whole to meet the needs of a market economy.

Due to the rapid development of globalization since the 1980s, also the requirements of domestic change and international competition, China has introduced public administrative reforms to speed up both its social and economic modernization. This has also come about in response to the international reform wave of New Public Management (NPM). The administrative reforms, however, have encountered serious problems and been largely unsatisfactory. They have only been successful in their initial or short-term phases. Political control is one of the most significant

factors for failure (Wang 2006). The seven sub-sections of this chapter outline public administrative reforms in China from 1983 to 2013.

The 1983 Administrative Reform

In 1983, China carried out its first administrative reform mainly to reduce the size of agencies and establish a retirement and tenure system. This largely restructured the government. The greatest contribution in this respect was to introduce a retirement system with a specific retirement age for government posts, and a tenure system, which eliminated life-long tenure in leadership positions. Still, this reform mainly focused on economic management through uniting the departments with coordination and supervision. The reform cut the total number of agencies from 100 to about 61 in the State Council, from 60 to about 50 in the provinces, from 40 to about 30 in the autonomous regions, and from 40 to about 25 in the counties and cities (Yang 2003). As part of the structural reforms of the government, human resources were reorganized, and the position of vice-leader was cut. The new retirement system was also introduced. The number of vice-premiers was reduced from over 13 to about two. The number of ministry-level leaders decreased from over 540 to about 180 (Zhang and Zhang 2001). Consequently, the staff of the State Council went from over 51,000 to about 30,000. In provinces and autonomous regions, staffing decreased from over 180,000 to about 120,000. Counties and cities reduced the number of employees by 20% (He 2007). However, even though this phase of China's 'reform and opening-up policy' represented a huge-scale of change, the reform was incomplete and difficult to implement in the local governments.

The 1988 Administrative Reform

The second institutional reform, starting in 1988, focused on transforming government functions by divorcing the government from state-owned enterprises and detaching the political party system from the administrative system. The main change was that the function of the economic system was gradually changed to meet the new needs of the market economy system (Lan 2001). This reform of the administrative system mainly focused on two aspects. The first important policy adopted was 'the three fixes': first, to fix the functions of the public sector; second, to fix the administrative organs with a view to cutting down the number

of states and CCP organs at central and local levels. This entailed defining which functions the state should supervise and which should be the responsibility of the private sector. The third fix was to address problems of staffing. This entailed determining the type and number of posts needed to support the essential functions and the administrative organs (Brodsgaard 2002). The ‘three fixes’ thus enhanced decision-making, consultation, supervision, and information. The reform downsized the number of organs in the State Council from over 72 to about 65 by the end of 1988. The number of its staff was reduced by over 9700—around 20% of the total (Ngok and Zhu 2007).

According to Worthley and Tsao (1999), the 1988 administrative reform efforts consistently reflect NPM ideas and principles. For example, the major effort to privatize government enterprises represents a belief that privatization and competition are preferred over government administration, which is more hierarchical and top-down. The 1988 reform programme specifically emphasized the separation of commercial from non-commercial tasks of the government. Transforming the government’s role—from micro-management to macro-management—embraced the concept of devolution. Downsizing government reflected the concerns for both cost-cutting and customer orientation. Nevertheless, on account of opposition from the CCP and economic crisis, implementation of this reform was limited. After the Tiananmen ‘incident’, this reform was dismissed.

The expected level of administrative reform failed in 1988. According to the Secretary of the Bureau of the Central Administrative Office (2002), the number of its employees, also those working in CCP organs, was as high as 9.3 million, with an extra 24.66 million employed in public service units by the end of 1991 (Burns 1993).

The 1993 Administrative Reform

In early 1992, former leader Deng Xiaoping indicated that a market economy is not equal to capitalism and that socialism also has its own method of market. This far-reaching declaration signalled that more reforms were on the way. The 14th Congress of the Communist Party in the autumn of that year officially approved a ‘socialist market economy’ in China, while also approving a reform of the administrative system to untether the relationship between the government and private enterprise (Wang 2006).

In accordance with the notion of a socialist market economy, the 1992 reform reinforced macro-control and supervisory departments and combined departments of social management. It limited the government's overseeing of commercial details and its direct management of private enterprises. It smoothed out interactions between departments of the State Council and reasonably divided responsibilities and authority. Staffing was also reduced (Tang 2004). In addition, significant progress was made towards improving the professionalism of the civil service (Ngok and Zhu 2007).

According to the 1993 Civil Service Regulations, the civil service system had several features that distinguished it from the current practice. First, cadres were recruited through open, competitive examinations. Such a change is especially appropriate for a labour market, and local authorities had been experimenting with this system since 1980 (Burns 1989).

Second, the civil servants were paid according to levels of compensation as paid to managers of economic enterprises. That is, wage markets were used to determine civil servants' salaries, rather than national wage plans, as is currently the case. The policy sought to redress the current situation of administrative cadres earning up to 30% less than their counterparts in enterprises, such as managers (Zhang 1993).

Third, the content of training programmes for civil servants was revamped to meet the needs of a market economy. The authorities redesigned the curriculum of the Central Party School, which is responsible for training the nation's elite cadres, to include courses on finance, real estate and securities, and exchange markets. As an integral part of the 1993 civil service reforms, a new National School of Administration was established under the State Council to retrain mid-level cadres in public finance, administrative law, public policy, and economics for market economies.

The 1998 Administrative Reform

In 1998, China's reform initiative entered a new phase. This was during the ninth Five-Year Plan (1996–2000). At the time, the country faced problems such as increasing unemployment, poorly functioning SOEs, poor domestic demand, rampant corruption, a growing gap between the poor and the rich, and increasing regional disparity (Ngok and Zhu 2007). Further transformation of governmental functions emerged to boost the economy and solve these problems. In March 1998, the ninth NPC passed a new administrative reform plan, which had three

principle objectives: first, to set up of an efficient, well-coordinated, and well-regulated administrative system, second, to create a corps of extremely competent and professionalized administrators, and third, to develop an administrative system that could harmonize with Chinese culture and the socialist market economy (Ngok and Zhu 2007).

The 1998 reform signified the government's first effort to redefine its own functions as opposed to simply decreasing its size and scope (Lan 2001). The reform achieved a great deal, but there were still specific problems. The government focused narrowly on business and commercial ventures, but its general inefficiency remained unchanged. It is also uncertain whether the reform meaningfully improved the practices of government employees (Yang 2007). However, it was the most effective reform to date, forming a basis for future reforms (Tang 2004).

The 2003 Administrative Reform

Despite the 1998 reform, a well-functioning administrative system that harmonized with a market economy was still not in place. There was still no institutional mechanism to connect the power of the government to the gradually globalized economy. There were few formal connections between the inside market and the external market. This being the case, China joined the World Trade Organization (WTO) in November 2001 and initiated a new round of administrative reform in March 2003.

The key tasks of the 2003 reform were to expand the management system for state assets, advance the macro-economic control regime, support the financial regulatory system, incorporate domestic and foreign trade, and apply the food safety and production safety controlling regimes (Ngok and Zhu 2007). To accomplish these tasks, the mechanism of the State Council needed to be reorganized. According to Ngok and Zhu (2007), a novel State Assets Supervisory Commission was created to manage state assets. This commission had the centralized authority to manage the property, investment, and personnel of SOEs that were directly under the State Council, and to observe SOE participation in international markets. A novel Banking Supervisory Commission was formed to strengthen the examination of all banks and other financial institutions and to cope with increasing financial risks in the vastly globalized economy. A novel Ministry of Commerce was formed out of the former State Economic and Trade Commission and the Ministry of Foreign Economy and Trade. This Ministry of

Commerce sought to institute an integrated market and trade system within the outline of the WTO. Likewise, the State Development Plan Commission was reorganized into the State Development and Reform Commission (Keyong and Yang 2007).

The 2003 reform visibly expanded the 1998 reform in terms of constructing a well-functioning administrative system matched to the socialist market economy. However, it also had other new features. The 2003 reform can to some extent be understood as a conscious response to the effects of economic globalization. It was once again about rationalizing the public administrative system, but was more geared towards adapting than downsizing. It shortened the approval procedure for various actions and supported the government's public service functions as well. In all, the WTO membership delivered new opportunities and dynamics for additional restructuring of the administrative system in China (Christensen et al. 2008).

The 2008 Administrative Reform

Premier Wen brought the debate on administrative reform to the general public by publishing an article in *The People's Daily* (26 February 2007). He specified that the CCP, while putting a lid on political reform, would continue focusing on economic development and move ahead with reform and initiate new policy measures. In this context, the Central Committee of the CCP, in February 2008, presented a resolution called 'Views on Expanding Reform of the Administrative System', which mentioned the need to face the new conditions which had arisen, to take on new tasks, and to solve problems of disobedience in public administration. Therefore, yet another round of administrative reform was confirmed, and the second meeting of the 11th NPC accepted the new reform initiative in March 2008.

The sixth administrative reform was informed by views on a Chinese form of socialism. It aimed to construct a service-oriented and law-abiding government and, in general, a relatively impeccable socialist administrative system with Chinese features by 2020. It also aimed to make China's administrative structure stable and to end the frequent reshuffling of offices (Dong et al. 2010). It launched a five-year plan to facilitate three long-term goals: increase government efficiency; encourage public organizational change under the values of simplicity, consolidation, and efficiency; and construct an administrative system mindful

of the constitution and laws and suitably supervised to guarantee both efficiency and legality.

The 2013 Administrative Reform

The third meeting of the 18th Party Congress was held in November 2012. It was themed on accelerating China's administrative reform by constructing a law-based and service-oriented government. More specially, it demanded expanding reforms in the administrative system. The rule of law was to give direction to the reform. New tendencies worth noting were streamlining governmental administrative endorsement processes, curtailing unnecessary administrative power, encouraging plural forms of governance, and establishing an administrative litigation system.

Beginning in 2013, administrative reform has been used to eliminate and/or delegate power to carry out administrative reviews and to approve various activities. This represents a compromise: any administrative endorsement requirement that is not approved by law is to be cancelled, but business and social activities not clearly prohibited by law are to be permitted. It appears that the trend of the reform is to create a new system of retrospective supervision, which would eventually replace most of the review and inspection requirements. The State Council's proposal for institutional restructuring and renovation of functions, which was accepted by the NPC in 2013, further specifies that many necessities concerning investment, manufacturing, operations, licensing, and certification should be delegated to lower-levels of government. The proposal also specifies that administrative responsibilities and government-funded items that are illegal and inappropriate must be repealed.

As intimated, another tendency of the 2013 reform is a shift towards plural forms of governance. But even as early as the 16th Party Congress in 2002, China had started steering away from the traditional standard of social control and unitary governance. President Hu Jintao had also addressed the notion of 'social management' in 2011, which was still a state-centred method. The administration, nevertheless, embraced the notion of social governance, which called for shared governance with the aim of minimizing the unitary character of the central government.

Constructing a law-based public administration is an important area in which there has been some progress. To strengthen and legitimize administrative policymaking power and processes, the NPC has implemented some much-needed legislation in public administration. A huge number of

administrative laws have also been articulated by the State Council to control markets, the activities of enterprises, marketplace exchange, economic deals, academic asset rights, taxation, and so forth (Lisheng et al. 2010).

ASSESSMENT OF 30 YEARS OF PUBLIC ADMINISTRATIVE REFORM

Party politics and public administration are so entangled in China that administrative reform is interpreted as a component of political reform (Wang 2006). In contrast to practices in Western democracies, the CCP has direct control over the development of the civil service system (Burns 1993), monitoring the appointment of political civil servants through its committees within the People's Congress. It also manages key administrative personnel and career civil servants based on political standards. It is important to clarify that administrative reform is intimately linked to economic reform, and economic reform is inseparable from politics. The purpose of administrative reform, one could say, is to settle the increasing conflict between political reality and economic reality. The motivation behind it is primarily to reform political authority as dictated by economic demand (Straussman and Mengzhong 2001).

Administrative reform is a constantly evolving process of making social, political, economic, and environmental adjustments, or to meet citizens' expectations (Zhang and Zhang 2001). During the first reform phase, from the early 1980s to the mid-1990s, the reforms were concentrated on restructuring governmental institutions. Although transforming the roles and accountability of the government was the main topic of the 1993 reform, emphasis was still on organizational change. In 1998, administrative reform entered the second phase, setting in motion the above-mentioned transformational changes. This phase continues, but another phase has appeared on the horizon, and its primary objective appears to be to restrain bureaucratic behaviour and to increase the productivity of public organizations (Wang 2006).

The reformist style has changed as well, evolving from a responsive to a more anticipatory method. In the early 1980s, administrative reform was a response to existing administrative problems. From the late 1980s to the early 2000s, the government started deploying an adaptive method, that is, the purpose of reform was to adjust the administrative system to bring it in line with economic reform, the social environment, and technological advances. For example, China joined the WTO in 2001 to gain the advantage of fair-trade treaties and avoid

possible business disputes that could not be resolved outside the WTO's legal framework. Wang (2006) states that the Chinese government has recently initiated a plan to implement reformist measures more proactively, determining reforms based on the vision, goals, and values of the society and the public administration. An example is the long-term goal, published in the 2008 reform documents, of achieving a fairly perfect, indigenous Chinese administrative system by 2020 (Drewry and Chan 2001).

LIMITATIONS OF THE ADMINISTRATIVE REFORM

The ultimate outcome of administrative reform must be some kind of stable transformation for the betterment of the society (Caiden 1968). Admittedly, China's administrative reforms control the proliferation of governmental organizations and staff, transform government functions, and enhanced public-private relations. But the results have often been short-term, unstable, and imperfect. It is therefore important to study the shortcomings or limitations of the administrative reforms and how they have weakened (Gargan 1997).

First, the reforms have put too much emphasis on restructuring, particularly at the central level. The most significant action of each round of reform has been to eliminate, establish, or integrate institutions and to decrease the number of staff (Wang 2006). In numerous cases organizations and staff were reduced rather than eliminated. The significance of transforming government roles and responsibilities was acknowledged in the late 1980s, but these were not transformed in line with the instructions and principles of a market economy. Cutting the number of personnel and the size of governmental organizations gave results, but these results could not be sustained (Wang 2006). Restructuring is still one of the most significant objectives of the 2008 reform, but it is not expected to be the case after 2020.

Second, reforms have been initiated and implemented in a top-down manner. Most reforms were articulated by the top-level of government with partial input from local governments and the public. The reforms implemented at local levels generally are in response to the commands and requirements of the central government. Given China's huge size and the great differences between localities, this centralized method tends to result in plans that are either too general or too specific to be adjusted to the widely differing local realities (Wang 2006).

Third, a sound legal basis has been missing. The 2013 reform did establish a law-based government system, but China's legal system and its public administration in particular are incomplete. As a result, many actions of reform are articulated and implemented based on whether a leader is willing to carry them out. This is most common in local governance. Each round of administrative reform has lacked laws which can guarantee enforcement, and as a result, it has depended on administrative directives to monitor the reform efforts. Lacking a legitimate legal basis, these reforms have tended to be thrown off after some years (Wang 2006).

CONCLUSION

The past two decades of Chinese administrative reforms have contributed meaningfully to the changing relationship between the state and the society. The reforms tend to originate in comprehensive ways, each leading to intended and unintended results, which then lead to further reforms. A new reform therefore does not replace the former one, but builds on and sediments it. China's economic reforms have received a great deal of attention, but there is less awareness of the efforts to implement administrative reforms. Civil service reform in China requires continued commitment from the top political leadership, in addition to commitment from senior civil servants in the central government, and from local government bureaucracies. Given the Chinese political regime, administrative reforms cannot by themselves achieve a well-functioning public administration. Episodic administrative reform is not enough to convert the highly intrusive administrative system. China's political system craves its own reform in order to accommodate drastic alterations resulting from economic reform, and to make more room and support for long-term, well-planned administrative reform. The future administrative reforms and their consequences will determine China's administrative future, at least through 2020. China has a long way to go, despite its many initiatives for establishing a modern public administrative system.

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