

Structural Dimensions of Malgovernance in Bangladesh

Author(s): Rehman Sobhan

Source: *Economic and Political Weekly*, Vol. 39, No. 36 (Sep. 4-10, 2004), pp. 4101-4108

Published by: Economic and Political Weekly

Stable URL: <https://www.jstor.org/stable/4415512>

Accessed: 04-12-2018 10:02 UTC

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



JSTOR

Economic and Political Weekly is collaborating with JSTOR to digitize, preserve and extend access to *Economic and Political Weekly*

Structural Dimensions of Malgovernance in Bangladesh

This paper attempts to trace the roots of the governance problem in Bangladesh to the structural features of its polity. These features include the existing politics of confrontation, weaknesses in the practice of parliamentary democracy, the malfunctioning of political parties, the role of money and muscle power in politics, and the rent-seeking collusion among the political parties, state machinery and vested commercial interests. Efforts for improving governance must be directed towards persuading political parties of the advantages of reforms in the existing political institutions. The paper also advocates civic actions in creating widespread awareness of the benefits of better governance, thus raising the political costs of malfeasant governance.

REHMAN SOBHAN

I Introduction

Governance is today identified as Bangladesh's paramount concern. It is seen as a major constraint to the realisation of Bangladesh's development potential and is seen as both the source and symptom of the malfunctioning democratic system. Most of the governance problems afflicting the Bangladesh polity today have been perpetuated over the years. Thus, what was essentially a regulatory problem, say, at the beginning of the 1980s has now hardened into a structural problem, where redress poses serious political problems for any regime in Bangladesh. In the specific context of our discussion we define a structural problem as a problem which has become embedded in the social and political forces which govern the distribution of power and influence within a country. If we, look at the whole gamut of governance problems extending from the state of law and order, the loan default issue, the deterioration in administration, the degeneration of our educational institutions, the pervasiveness of corruption, each of these issues has now become embedded into the socio-political fabric of Bangladesh society where executive interventions, through particular administrative actions, remain compromised by the socio-political fallout likely to arise out of such initiatives.

Such a perspective on governance suggests that we need to invoke the neglected discipline of political economy if we are to understand the source of malgovernance in Bangladesh. While many aspects of governance can be discussed as part of a process of administrative reform and reorganisation the more intractable problems originate in the structural features of Bangladesh society and thus need to be addressed politically as part of an ongoing process of realising socio-political change within Bangladesh.

This will need to take the governance discourse beyond the civics-oriented approach to the subject, which focuses on the normative rather than diagnostic approach to the problem. We need to better understand the underlying dynamic of political behaviour and the interests involved in the competition for

political power, if we are to locate the structural roots of malgovernance in Bangladesh.

II Understanding Political System

It is widely recognised that the prevailing state of confrontational politics is having an adverse effect on the state of governance and is thereby undermining Bangladesh's development prospects. Bangladesh is seen as a country with a demonstrable development potential associated with the dynamic growth in the exports of readymade garments (RMG), the doubling of cereal production, the birth and explosive growth of micro-credit, the reduction in fertility, the spread of immunisation against infectious diseases and of primary education, including female education. The people of Bangladesh are recognised to be hardworking, creative, enterprising and outward-oriented, qualities manifested in the spread of its migrant workers throughout the world and the rising contribution of their remittance towards the improved balance of payments position of Bangladesh.

It is believed that if Bangladesh's principal political parties were to pursue a more constructive approach to politics, Bangladesh could build upon its manifest potential and significantly transform its developmental prospects. This paper argues that the political leadership has been unable to realise the full potential of Bangladesh's potential because they are captive to a confrontational political process. Our presentation suggests that such a process of political confrontation should be seen as a symptom of a deeper malaise in Bangladesh's political process, which originates in the structural features of its principal political parties and its consequential impact on the nature of national politics.

It is argued that the prevailing political stalemate does not derive from any fundamental divergence amongst the political parties but remains associated with the increasingly confrontational style and language of their politics. On most substantive issues of development policy, constitutional arrangements and governance practices the two parties demonstrate little divergence in their policy objectives or indeed in their inability to implement their policy commitments. This still leaves important

differences over how to deal with Bangladesh's principal neighbour, India but here again the differences are not over principles but over tactics. Other divisions, often of an incendiary nature have their roots in Bangladesh's history and the varying perspectives towards the events of 1971 and 1975. Such differences should not be underestimated for their divisive potential but they do not impinge upon the contemporary debates over development strategy and improved governance.

Bangladesh's Political Assets

From a structural perspective Bangladesh is, indeed, one of the most favourably equipped, amongst south Asian countries and indeed most developing countries (DCs), in building a working democratic and pluralistic political system. Bangladesh is a relatively homogeneous country in language and culture. This overwhelming cultural homogeneity has tended to marginalise the tribal minorities and thus demands sensitive handling which may be possible now that a peace agreement on the Chittagong Hill Tracts (CHT) has been concluded.¹ Bangladesh also has a sizeable religious minority who may have reason to feel that they have been marginalised in their access to power and economic opportunities. Notwithstanding a sense of deprivation of Bangladesh's minorities, religion and communalism have emerged as much less of a variable in influencing political behaviour in Bangladesh politics compared to the dominant role that ethnic issues have played in Sri Lanka or caste has influenced Indian politics.

Social stratification in Bangladesh has grown in recent years but is not institutionalised in the way that feudal elites have been embedded in the social structures of Pakistan or in parts of India and Nepal. Bangladesh's society remains much more fluid with considerable scope for upward mobility. Few, if any, in Bangladesh can lay claim to power through an inherited social legitimacy. Upward mobility does not always originate from competitive processes but through inequitable access to resources and opportunities which tends to compromise the legitimacy of the prevailing social disparities in the country. Such manifestation of illegitimate and sudden affluence lends an element of instability to the social order. Thus, Bangladesh's prevailing social hierarchies remain exposed to challenge from below as well as from competing aspirants because the legitimacy of these differences is not widely accepted.

Bangladesh has a long tradition of political struggle for the assertion of its democratic rights which goes back half a century. These struggles first challenged Pakistani rule and the usurpation of democratic rights by the military regime. This struggle culminated in a war of national liberation in 1971 associated with the emergence of an independent Bangladesh. This struggle continued against the usurpation of power by military regimes which again culminated in the ouster of the autocratic regime of General Ershad at the end of 1990. This tradition of struggle has left a legacy of an assertive civil society, the urge for a free media and recognition that any usurpation of democratic rights will not go unchallenged for long.

Emergence of a Two-Party Polity

The principal feature of Bangladesh's democratic political tradition lies in the emergence of a stable two-party system. Its two principal political parties, the Awami League and BNP command together an overwhelming plurality amongst the voters

and demonstrate strong grass roots support. Each party has held office and has demonstrated that it can win elections. Each party remains well represented in parliament and is sufficiently strong on the ground to be able to challenge any attempt by a ruling party to impose its will on the national polity.

Such a bipolar political system has introduced a measure of stability into our political system. A party once elected to office does not have to depend on the shifting loyalties of its political allies as is the case in India today. At the same time the ruling party remains conscious of the fact that it does not have any security of tenure in office beyond the five years it is permitted to hold office under the constitution. The introduction of the 13th amendment to the constitution in March 1996 which mandates that the ruling party must vacate office at the expiry of its tenure and surrender the control of the government to a non-party caretaker government which will conduct the elections, gives credibility to the competitive nature of Bangladesh's political process. A government which lives under a serious threat that it will have to vacate office at the end of five years remains under pressure to perform whilst in office. Indeed, within the prevailing social configurations of Bangladesh an incumbent regime cannot easily invoke primordial loyalties to compensate for its poor performance in office.

This bipolar political system has permitted for three highly competitive elections in 1991, 1996 and 2001. All these elections were held under caretaker governments which have by third world and even south Asian standards, been relatively free and fair. The elections have permitted the BNP to be elected to office in 1991 against the political forecasts of that period, to be voted out and succeeded in office by the Awami League in 1996 and to again return to power in 2001 by inflicting an electoral defeat on the Awami League. Thus, the electoral system has worked to ensure changes in the regime in office and has permitted both parties to have a taste of power. In the process it has ensured both competition as well as unpredictability in the outcome of the next election.

Costs of a Bipolar System

A bipolar polity has, however, also contributed to the confrontational style of our national politics which is undermining the working of the parliamentary system. The emergence of two parties of equal strength has contributed to the emergence of a duopoly over the national political system. This duopoly has served to stifle any challenge by smaller parties. The presence of the Jatiyo Party (JP) and the Jamaat-e-Islam (JI) though represented in parliament, does not suggest that they are credible political alternatives so that either party can only aspire to power as a junior partner of the two principal parties. The JP headed by former president, General Ershad, who has a hard core political base in his home district of Rangpur, split three ways prior to the 2001 election. The larger fraction of the JP aligned itself with the BNP and is now part of a four-party ruling coalition. The other component of the ruling coalition, the JI, appears to have little prospect of capturing power in its own right. But the JI has a secure vote bank which served as a vital resource during the 2001 elections in helping the BNP to capture marginal constituencies. This critical dependence of the BNP on the JI for underwriting its electoral strategy could have long-term consequences for Bangladesh's political demography as well as pose problems in building a policy consensus within the polity.

For the present, the duopolistic dominance of the two major parties in Bangladesh's political life has encouraged their insensitivity to the concerns of minor parties, their direct supporters, their voters and even to the concerns of their party rank and file. This sense of arrogance within the leadership structure of both parties is premised on the belief that within a duopolistic political system the supporters have no option but to support one or the other party. This duopolistic structure has thus eroded the pluralism as well as challenge within the political system which has contributed to the emergence of structural weakness within the two parties as well as reduced the choices available to the electorate.

This hegemonistic perspective of the two dominant parties within the Bangladesh polity has eroded some of the benefits of better governance which might have been reaped from a competitive and stable two-party political system. In a better functioning two-party system both parties should have been aware that they do not speak for the whole country and that the views and concerns of the rival party always need to be taken into account in building a viable system of governance. This would require some attempt to build a consensus in setting the rules of the game which would ensure that the ruling party respects the rights of the opposition to have equal voice in parliament, in the national media and on political platforms across the country. Both parties, thus, collectively need to work out the rules of parliamentary business, as well as the chairing and working of parliamentary committees. The ruling party should, as a routine procedure, consult with the opposition on major legislation prior to its introduction in parliament and indeed should take account of their views and concerns arising from important executive actions. Within such a consultative process norms of constructive and decent discourse in parliament could be established, built around the unquestioned recognition of the political legitimacy of either party to occupy the political space of Bangladesh.

In practice, however, the bipolar system has yielded results which remain largely contrary to popular expectations. Successive ruling parties have demonstrated a high degree of intolerance to the concerns of the political opposition. In the present parliament the ruling BNP-led coalition commands over two-thirds of the seats even though the party in opposition, Awami League, won 43 per cent of the vote in the 2001 election. In the outgoing parliament when the Awami League held office, the opposition represented over 50 per cent of the electorate. The first past the post system of elections permits for this disparity between actual political support in the country and representation in the parliament. This disparity creates an illusion of overwhelming power within the domain of parliament which is at variance with the political reality on the ground. It has, however, served to perpetuate the exclusionary exercise of parliamentary power demonstrated by the BNP and the Awami League in their earlier respective ascendancy in parliament after the 1991 and 1996 elections. Thus, over three successive parliaments the majority parties have denied equitable time-sharing with the opposition both in parliament as well as over the official electronic media. Nor have successive regimes made any more than token attempts to consult the opposition on issues of policy and governance. Under three regimes, opposition workers have been periodically exposed to harassment and detention through a partisan use of the law enforcement agencies.

In response to the perceived unfair behaviour of the ruling party successive oppositions across three regimes have moved on to

a highly confrontational political path, leading to boycott of parliament, invocation of hartals and a relocation of opposition political activity away from parliament and into the streets. This confrontational political behaviour has now persisted over 13 years and the tenure of three parliaments. It may be argued that this response by the opposition appears disproportionate to the provocation and must seek its origin in the highly confrontational perspective of either party towards the other. Thus, today the two principal parties question the very legitimacy of their rival to participate in politics. They do not consult on any major issue and barely speak to each other so that negotiated solutions to their divisions remain unusually difficult. Successive opposition parties have demanded that the ruling party vacate office even though they command a majority in the parliament and have a secure tenure in office, under the provisions of the constitution.

III

A Dysfunctional Parliament

The immediate result of this confrontational approach to national politics has been to erode the effectiveness of parliament in discharging its designated responsibilities. These areas of parliamentary dysfunction may be summarised below:

Over the last 13 years very few major policy issues have been fully and constructively discussed on the floor of the house where parliamentary debate has been characterised by incendiary and personalised rhetoric. Allowing for distinguished exceptions, the quality of debate has been poor and largely uninformed.

Successive oppositions complain that they were not given time to discuss vital issues. In the last parliament the BNP complained that they were denied time to discuss vital issues such as the Indo-Bangladesh Treaty on the Ganges Waters or the Peace Agreement signed with tribal insurgents from the Chittagong Hill Tracts. In the current parliament the Awami League has complained that vital issues such as the use of emergency measures to induct the Armed Forces into law enforcement (Codenamed 'Operation Clean Heart') have not been exposed to substantive discussion on the floor of the house.

Part of the problem associated with insufficient discussion on important issues is that a needless amount of time is spent on procedural issues over who will speak for what length of time. These procedural wrangles end in stalemate because of the inflexibility of either party to accommodate the concerns of the other side and invariably end in walk-outs from the parliament by the opposition. These walk-outs cut short debate and explain the lack of floor time invested on debating important issues.

Allowing for the provocative style of the opposition and their readiness to walk-out of the house at the least provocation, the onus of responsibility remains with the ruling party to bend over backwards to encourage the opposition to stay in the house and debate important issues. They should thus attempt to accommodate all the procedural concerns of the opposition and accorded them all the time they need to have their say on the issues.

In turn, it could be argued that the opposition in both the outgoing and current parliament would have been much better off taking the government of the day to task on the floor of the house where their criticisms would have been listened to on the national radio network which broadcasts the entire floor debate. Indeed newsworthy and sensible criticism on the floor would also have been reported in the news media, leaving public TV as the only arena monopolised by the government media. Along

with the public channel, BTV, several privately owned satellite cable channels have a presence on the air where they can present a more balanced news coverage of the floor debates. However, even today the private channels are denied the scope of giving live coverage to proceedings in parliament which remains the exclusive monopoly of the BTV. Notwithstanding the inequitable nature of the TV coverage of parliament, for the opposition to deny itself the opportunity to use parliament to register its concerns on the grounds that the Speaker was biased against them appears to be a case of cutting off their nose to spite their face. Boycott of parliament by the opposition thus remains a self-inflicted wound by the opposition which denies representation to their constituents by muting its own voice in the country.

The parliamentary committees (PC) in the outgoing parliament have functioned somewhat more effectively than the parliament itself. Indeed, notwithstanding the protracted boycott of parliament by the opposition BNP, all PCs in the last parliament continued to function with the regular participation of the opposition members. Some of the committees had, as a result, shown promise in seeking accountability from the executive. Here again the effectiveness of the PC was improved under the previous Awami League regime through the expedient of appointing non-ministers as committee chairmen. Whilst all chairmen were drawn from the ruling party, unlike the practice in India where they are elected from the opposition, this move was an improvement over the arrangements in all previous parliaments in Bangladesh where the PC was chaired by the concerned minister. As a result, in those previous parliaments most meetings of the PC remained anodyne affairs where the executive chose to deal with the queries of MPs on a need to know basis.

The new arrangements in the outgoing parliament had led to some improvement in the functioning of the PCs. The non-official chairmen, even if they were members of the ruling party were more inclined to challenge the authority of the executive. PC members, often came together on a bipartisan basis, in seeking accountability from the ministries and agencies under their jurisdiction. Under the current parliament the PCs have yet to be activated. The ruling party complains that the opposition Awami League has refused to nominate their members until it extracts an agreement from the ruling alliance to give them an opportunity to chair some of the PCs. The ruling alliance is quite content to let this stalemate continue so that two years have gone by without any active attempt being made by the ruling party to activate the PCs.

Parliament and Accountability

Notwithstanding the potential demonstrated by some PCs in the previous parliament successive parliaments have proved ineffective in discharging their primary function of adequately representing the concern of their electorate and holding the executive responsible for their actions. In this failure the opposition in successive parliaments bears a particular responsibility. The tendency to use rhetoric as a substitute for reasoned as well as informed argument and the indiscriminate use of the walk out as well as boycott have effectively taken the government off the hook in having to respond to an informed, vigilant and present opposition every day that the parliament is in session. No matter how partisan the role of the speaker or inequitable the allocation of speaking time, a strong opposition can, with imagination and perseverance, make itself heard on the floor of the house. Since

all the proceedings are broadcast live on the national radio network, which is widely listened to throughout Bangladesh, an effective opposition could have kept the government under perpetual challenge in the House.

The incapacity of the opposition to discharge the very responsibilities for which it is elected to parliament has meant that for the best part of 13 years three incumbent governments have not really had to expose themselves to the regular scrutiny of parliament for their executive acts or to expose their legislative efforts to serious debate. As a result, the weak accountability of the government, which has contributed to malgovernance throughout the long years of autocratic rule, has now been compounded by the failure of the principal institutions within a system of plural democracy, namely parliament and the opposition, to ensure more accountability and transparency from the government.

Few members of the parliament feel strongly inclined to push any clearly articulated policy agenda during their tenure in parliament. Their principal concern is to use their political presence in parliament to persuade the government ministers to channel some public development project into their constituency. Less attention is given by MPs to monitoring the state of governance within their constituency or to see how development projects are being implemented or operated. Parliamentarians, even from the ruling party, do have views on policy, particularly on such issues as fertiliser price and availability, which impinge on their constituents. MPs thus, tend to be resentful at not being regularly consulted on legislation or budget formulation.

Neither party appears to have a clearly conceived programme in place to consult MPs or party members on a regular basis either on policymaking or governance. A party, when in office, tends to believe that parliamentarians are unqualified to offer policy advice or will use this opportunity to press particularistic agendas. In practice, consultations initiated by the Centre for Policy Dialogue (CPD) with MPs, have at least, pointed to a willingness on the part of MPs, to take policy and governance issues seriously. Such MPs remain willing to expose themselves to a learning process to be able to play a more constructive role in parliament. They remain receptive to the idea of outside professional inputs into the work of the PCs. However, left to themselves MPs are not overactive in seeking such assistance and need to be regularly exposed to the possibility of such support.

This dysfunctional role of members of parliament to discharge their primary mission as legislators has posed a serious problem in the functioning of the system of local government. These underemployed MPs have, over the years, increasingly intruded into local politics and governance. They spend time lobbying the executive for spending public funds in their constituencies and take undue interest in how such funds are spent. Since the average parliamentary constituency is broadly of the size of an upazilla, MPs have reincarnated themselves as surrogate upazilla chairman. With the abolition of the upazilla system in 1991 the MPs have emerged as the principal source of public resource patronage in their constituencies and as major players in the system of local politics. This intrusion by MPs into local governance has served to undermine their interest in reviving representative institutions at the upazilla level ever since the BNP regime abolished the system in 1991. The Awami League government did pass legislation to resurrect the upazilla system but the system could not be activated due to the boycott of upazilla elections by the Opposition. After the BNP returned to power in 2001 they have been strong divisions in the ruling party over reviving the upazilla

precisely because some cabinet members apprehend that an elected upazilla chairman could emerge as a challenge to the prevailing authority of the sitting MP in the upazilla which overlaps with a particular parliamentary constituency.

IV State of Political Parties

The malfunctioning of parliament has its roots in the degeneration of the principal political parties themselves. Over the years, both the political parties, have been witness to the infiltration of their parties by a breed of activists who increasingly tend to be motivated by private agendas. Today the ideological divide, as it impinges on immediate issues of development policy, is virtually non-existent between either party. Thus, both parties have developed party manifestos which serve as little more than proforma obligations to their electorate which rarely intrude into their legislative practice or executive behaviour. Party agendas tend to be designed by a few professionals, in consultation with a few leaders, and are rarely exposed to debate within the party or consultation with the rank and file let alone with the public. The manifesto thus means all things to all people with little binding value as a guide to action by party workers. In turn, the public has also remained disinclined to take these manifesto commitments, seriously. People are reminded of the manifesto as and when the opposition takes the government to task, largely for rhetorical purposes, for their failure to discharge their commitments to the electorate.

Both parties have a large number of political workers. A party such as the Awami League, with a 50 year history, has a large and loyal cadre of workers many of whom have long records of service and sacrifice for the party as well as the people in their respective areas. They remain close to the people and can serve as effective conduits for carrying through party programmes. The BNP has also built up a significant base across the country with a large number of workers.

Regrettably, neither party has any clearly identified role for its party workers who are thus mostly used as mobilisers and organisers during election campaigns. Opposition party workers are also used to mobilise people for public agitations whilst corresponding ruling party workers are deployed to oppose or frustrate such agitations. Party workers, paradoxically, feel particularly neglected when their party comes to power. There is no perceived role for such ruling party workers either in disseminating the policies of the government before the electorate or in monitoring the state of governance at the local level. Some workers do spontaneously take some initiatives in both these areas but this does not originate from any organised initiative by the ruling party.

Successive ruling parties tend to demonstrate more faith in the bureaucracy which emerges as their instrument of choice in not just implementing government decision but in guiding their policy choices. As a result party workers feel devalued at a time when their links with the grass roots should have been put to good use by a ruling party. This sense of purposeless, particularly when a party is in office, drives workers into using their political access to the party in power to seek official patronage for enhancing their material fortunes either as intermediaries with the executive or for direct benefit. In this role, ruling party workers increasingly develop relations of either collusion or conflict with the bureaucracy when their particular expectation cannot be satisfied. Such tensions constrain the process of governance in

various echelons of government and contribute to the alienation of the ruling party from its traditional sources of support.

Criminalisation of Politics

The ineffectiveness of the party workers is increasingly driving them towards extra-legal activities. This tendency is aggravated by the increasing presence of 'mastaans' or hoodlums in the major political parties. This ascendancy of the mastaans is associated with the progressive criminalisation of politics and the disconnection of a growing number of party workers from any political goals beyond using politics as a source of livelihood.

The patronage extended by a political party to mastaans or hoodlums derives from the dependence of many political figures on these forces to ensure their election and the retention of their political authority in their constituency area. Many politicians now increasingly use mastaans as a political resource in the contention for political office and state patronage to access public resources. The resultant nexus between politicians, business, the mastaans and the law enforcement agencies is now embedded into the social structure of Bangladesh.

Partisan law enforcement in favour of the ruling party serves as the key instrument for the criminalisation of politics. Opposition complaints of political victimisation are legitimate not because their own affected political workers are honest people dedicated to public service but because of the inequitable enforcement of the law against them. The BNP, when in office from 1991-96, heavily depended on mastaans to capture the institutions of education and to enforce their political presence in particular constituencies. The law was used ineffectively against these elements and was instead directed to detain mastaans in the service of the opposition. From 1996-2001 Awami League treatment of opposition workers was the mirror image of the behaviour of the BNP when in office. When the BNP returned to power in 2001 they perpetuated the earlier tradition of victimising the workers of the Awami League whilst giving a free hand to the ruling party mastaans to live off the fat of the land whilst oppressing opposition supporters. As a result both parties have tended to depend on such undemocratic instruments as integral political resources, for realising their electoral ambitions. Thus both parties have abused the system of law enforcement to protect their own workers and to persecute those of their opponent and have, in the process, exposed ordinary citizens to a system of institutionalised anarchy where they have little relief against the depredations of the mastaans.

This criminalisation of politics is presumed to be inhibiting private investment in Bangladesh. This linkage between constrained law enforcement and its impact on investment was articulated during the tenure of successive regimes since the liberation of Bangladesh. It was particularly visible during the Ershad regime, was manifest throughout the BNP regime, was seen as an important constraint under the Awami League regime and is today cited as the principal factor in inhibiting investment under the BNP regime. Mastaans reportedly use their immunity from law enforcement to exact tolls from business, demand their tithes in particular construction contracts and as part of any investment activity. In many areas the claims of the mastaans have become a recurrent cost for doing business. This politically patronised mastaan culture has institutionalised itself over successive regimes. It is, however, less clear whether they constitute a fundamental constraint to new

investment or operating a business or merely represent a transaction cost along with political and bureaucratic pay offs for the privilege of doing business in Bangladesh. This proposition deserves closer analysis which remains outside the scope of this paper.

The real problem in Bangladesh politics lies in the fact that every party harbours mastaans because they play an integral part in the election system and in securing a support base in particular areas. Mastaans are not always just common or garden thugs but may be people of considerable local influence with a capacity for getting things done. Thus each party feels a need for their mastaans and will be reluctant to abandon them for potential but indeterminate gains in public esteem unless their opponents are willing to do likewise. Thus, invocations to political leaders to abandon such proven political resources are an unreal expectation, however important this be in the agenda of governance reform.

Money and Politics

The emergence of the mastaans as a political as well as governance variable has been accompanied by the growing presence of money as a factor in Bangladesh's politics. Elections have over the years become a costly process and have, thus, increasingly become a rich man's game. The growing presence of men of property in the political arena has further driven up the cost of elections. Once upon a time businessmen contributed to party coffers, particularly during elections. This permitted people of modest means to contest elections as long as they had the financial backing of the party. Most party financiers hoped to use their support to promote their business fortunes when the party came to power but there were always some party loyalists who invested their wealth in particular parties out of a sense of political commitment. In this respect Bangladesh politics is no different from any other country. The main difference lies in the growing presence in Bangladesh politics of a class of people who view politics as a business investment and will spend large sums of money in the process which needs to be recouped. Such a commercialised perspective on politics is encouraged by the lack of transparency in the system of electoral and political financing or the protection of law to enforce such transparency.

Businesspersons, however, appear to have moved beyond party financing to invest in particular political persons who thereby became captives to the business agenda of their patrons. Over successive regimes the politician as a business intermediary, whether in or out of office, is a familiar figure in the corridors of the secretariat of the government and in the drawing rooms of some ministers.

The final stage in the commercialisation of Bangladesh politics was attained when businessmen themselves directly entered electoral politics or politicians chose to graduate from being intermediaries and themselves became businesspersons. The increasing presence of politicians as indentors, traders, contractors and big borrowers of commercial banks has already made its contribution to the perpetuation of the culture of default in loan repayment.

In such an environment politics is increasingly being divorced from any public purpose and is being used as an instrument to promote private material interests where the dividing line between government and opposition parties is becoming indistinguishable. Elective office is seen as a mechanism to improve access to scarce resources. Being part of the ruling party is advantageous but is not essential to this process.

The societal implications of such a transformation in the political culture of Bangladesh lies in its exclusionary effect on a large

segment of the population. People without wealth, or the patronage of wealth or who do not aspire to wealth, have little prospect of surviving in politics. Such a perspective applies not only for election to parliament but also to the local elective bodies. It is not surprising that those of modest means who now contest local elections are becoming increasingly dependant on the patronage of some of the wealthier NGOs. However few if any NGOs can afford to finance the election of a poor farmer or school teacher to the Jatiyo Sangshad where considerably larger resources are required. In such a milieu politics is becoming a game played by the rich for the rich and for the accumulation of riches. This perspective on politics is of crucial significance in the disempowerment of the poor through their distancing from public affairs. This development has important implications for agendas of poverty alleviation and governance reform where sustainability depends on giving a political voice to the deprived members of society.

V

Political Economy of Governance

Bangladesh's crisis in governance is reflected in the progressive degeneration in the functioning of the machinery of administration. Over 10 years, two successive elected governments, in spite of inheriting horrendous administrative problem from the Ershad era, did little to carry forward serious reforms. The urgency of the reforms has always been apparent to both the elected governments who periodically commented that they could not realise their promises because of the deficiencies in the administrative machinery. A number of commissions/committees were constituted to promote reform but little was done to enforce their recommendations.

Without detailing these areas of administrative decay we may summarise the principal areas of malfunction in the administration:

- Pervasive corruption
- Complete lack of accountability from above or below
- Absence of transparency
- Absence of norms in decision-making
- Delinking of career advancement with performance
- An inadequate and inefficient pay structure which does not reward performance
- Lack of coherence within the structures of administration
- Inter-cadre conflicts
- Inability to enforce discipline within the administration
- Politicisation of recruitment and advancement
- Imprecise definition of Rules of Business and weak enforcement of rules
- Over-regulation built around a superfluity of regulatory rules.

Most of these problems have aggravated over the years and have acquired structural features which have constrained the implementation of various attempts at administrative reform. The two major structural constraints to administrative reform discussed below relate to:

- the scope for collective action by public servants
- the politicisation of the bureaucracy

Role of Collective Action

The capacity and willingness of various fractions of the bureaucracy to resort to collective action to protect themselves against any attempt to discipline them or arrest their rent-seeking proclivities has become a major problem constraining reform. Issues

of corruption, accountability, absence of transparency, inefficient pay structure, lack of incentives for efficient performance, inter-cadre conflict, opaque rules, non-observance of rules or norms, all originate in the fact that various tiers of the administration stand to individually and collectively benefit from such maladministration. Obviously some will benefit more than others, and some, particularly the honest the efficient and those informed by a sense of public service, will suffer, perhaps become demoralised and may end up joining the spoils system. It is for this reason that administrative decay in Bangladesh must be seen as a cumulative process where the ranks of the malfeasant find new recruits every year.

Collective action can undermine any serious reform effort. Resistance to reform is closely connected with the rent-seeking proclivities of public employees both within the administrative apparatus as well as the public sector. This capacity to resist change has corroded the discipline of the bureaucracy and the efficacy of most public utilities ranging from the power sector, water, sanitation and ports to public health care and education. It has also eroded the profitability of stated owned enterprises (SOE). It should, however, be kept in mind that such resistance to change by public employees is only feasible where it can collude with the rent-seeking interests of political leaders and particular business interests.

Collective action by the bureaucracy and public sector is seen as an accepted norm of behaviour. Each political party fears the cost of resisting such collective pressures whilst sharing in its private rewards. The party in power fears disruption in the functioning of the secretariat or in delivery of public services. They fear the potential loss of votes from an influential group, but above all they fear the loss of control over the administrative machinery which could frustrate its use for partisan gain. This compulsion by successive regimes for using the machinery of state for partisan and personal gain has given the administration a sense of immunity to reform and forged a collusive bond between state, politics and business.

The dysfunctional nature of the political system is increasingly impacting on the functioning of the machinery of government. The same political dynamics, which have undermined the working of the machinery of law enforcement, are compromising the working of the administration. If politics is to serve as an instrument for accessing resources then political persons will remain inclined to subordinate the administration to this objective. Bureaucrats thus had to be incorporated into the business-political nexus because they remain the direct instrument through which public resources are accessed. Thus officials in the development financial institutions (DFI) or nationalised commercial banks (NCBs), the ministries awarding public tenders for procurement or construction, the agencies for allocation of public lands, the revenue collection agencies, at both the level of the ministry and operating agencies, have to be co-opted into the system. In such a dispensation the politicisation of the bureaucracy emerges as a logical outcome of such a system.

In the Bangladesh context, politicisation of the bureaucracy does not mean using bureaucrats to serve a particular party ideology. Here politicisation means the use of bureaucrats to promote the private agendas of politicians. Bureaucrats, thus, need to be compatible with their ministers rather than a party. At the local level they need to be compatible with an MP or the local political leadership. The idea that bureaucratic power is used to promote particular party agendas is thus a misleading notion. Police may be deployed to arrest an opposition mastaan or worker

at the behest of a minister or even some local leaders. Officials may be willing to manipulate tenders or make land allotments or reschedule a loan, ostensibly in the service of the ruling party. But in practice such interventions are designed to serve the electoral and material interests of a particular politician. The bureaucrats recognise this personalised nature of their links with politicians and are happy to serve these interests for both their own material gain as well as their career advancement. Thus, the politicised bureaucrat is no more than a malfeasant bureaucrat, who rationalises his behaviour in the name of serving some higher political purpose but in practice, is embedded in more mundane acts of collusion for material gain. Such bureaucrats remain happy to reinvent themselves over successive regimes by proclaiming largely mythical political loyalties to the party in power in order to advance themselves.

Whatever may be the underlying logic of the politicisation of the bureaucracy, the end result has been the erosion of good governance. Bureaucrats embedded in collusive links with their political patrons, use these links to advance themselves beyond their merit, to acquire private wealth and to accumulate power within the bureaucracy by promoting collective interests. The official who can access a minister to use his influence to realise some benefit for a section of public employees uses this influence to consolidate his leadership of this group. His command over such bureaucratic constituencies is used as a bargaining resource with particular political leaders to then promote the individual ambitions and appetite of the bureaucrat. Such arrangements to extend political patronage to particular bureaucrats undermines bureaucratic discipline, erodes accountability, promotes inefficiency and encourages corruption.

A poor state of law and order is endemic to the system of governance. Ritual invocations by citizens and aid donors to successive governments to improve law and order have not had much effect because they fail to address the structural sources of the problem. Criminals can operate with immunity from law enforcement agencies because they have collusive and mutually rewarding links with them. These links are ubiquitous across regimes, parties and areas. However, the ruling party enjoys a special privilege in protecting its own mastaans. Thus, more than any other area of governance, the crisis in law enforcement has become systemic. We have observed that the problem is embedded into the working of Bangladesh's political system so that regime changes will have, at best, a limited impact on the problem. Unless each party commits itself to marginalise the mastaan elements in its party and to apply the law of the land, without reference to the political colour of the wrongdoer, attempts to reform law and order are going to be more rhetorical than real.

In focusing on the political patronage which sustains malfeasant law enforcement, one should not ignore the structural constraints within the machinery of law enforcement. Aided and abetted by their incestuous links with the political parties the law enforcement agencies have built their own structural links with the criminal classes where, in each area, they collude for mutual benefit. In every area, there is very limited prospect that the police will move, suo moto, against the major criminals. They will only do so if they receive categorical, unambiguous, political orders to clean up an area and are threatened with the prospect of dire action if they do not comply with such orders. However, once such orders are diluted by the instructions of the government of the day or its factotums so that rigorous

law enforcement must remain discretionary, the police will simply be encouraged to believe that business may continue as usual.

In such circumstances, the commitment by any regime in Bangladesh to an agenda of comprehensive non-partisan law enforcement, will always involve structural problems. The entire culture and institutional basis of law enforcement will thus need to be overhauled. Such a process could be resisted from within the agencies which would be able to draw upon support from within the political system and from interest groups who have benefited from a system of personalised law enforcement. Thus, as in the case of administrative reform, a political consensus will have to be built up so that one party cannot take political advantage if a ruling party seeks to impose structural changes in the machinery of law enforcement.

VI Conclusion

The above perspective on governance highlights the political context which conditions the process of governance. It seeks to establish that collusive links between the political parties, the machinery of state, collectives of public employees and vested commercial interests together constitute a structural constraint on the reform process. Thus any credible effort to improve governance in Bangladesh demands an understanding of how

this relationship works and impinges on the process of governance. Such an understanding will need to direct attention towards ways of persuading the ruling and opposition parties of the political advantages of such reform by reassessing their own political calculus. Such an exercise envisages an ongoing dialogue between civil society and the political parties where such issues are publicly examined and credible solutions sought which will persuade parties to reach out to new constituencies supportive of reform. However, such dialogues will need to be sustained by more evidence of collective action by civil society which can serve to raise the political costs of malfasant governance. At the end of the day the most potent weapon for promoting good governance lies in building a more just society, which democratises economic as well as political opportunity and thereby provides a stake for the most deprived to participate in the benefits of development and of better governance. **FW**

Address for correspondence:
rehman@citechco.net

Note

- 1 However, not much headway has been made by successive regimes to implement the peace agreement since it was signed in 1997. This owes in part to the divergent perspectives on the Peace Agreement between the Awami League which originally signed the agreement when in power and the BNP which has returned to power in 2001.

Books on Management

 **CAMBRIDGE**
UNIVERSITY PRESS

Corporate Governance

The Indian Scenario

Vasudha Joshi

This book brings a critical, social science perspective to bear upon corporate governance. It discusses Indian developments along with some major global events.

How to ensure accountability of corporate bodies? To whom are they accountable? Is continued profitability in a competitive market not sufficient?

Answers to these very important questions take us to the very heart of capitalism today. The present study deals with the two major corporate governance systems i.e. Anglo-American and German-Japanese. It also presents a broad-brush sketch of corporate business development in India.

Rs. 395

HB

81 7596 204 6

(Foundation Books)



Corporate Entrepreneurship

Top Managers and New Business Creation

Vijay Sathe

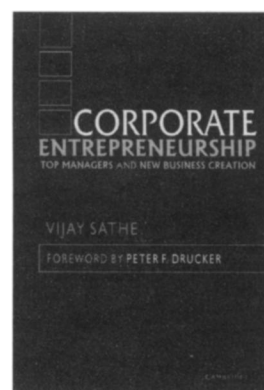
Corporate Entrepreneurship explores the real world of top managers in a systematic and comprehensive way, examining business realities, the management culture, the corporate philosophy, the organizational politics, the personalities and the personal priorities of the people at the top. The book offers both a theory of corporate entrepreneurship and practical advice on how to manage it better. An original and valuable contribution to the literature on strategic management, this is a book that will appeal to graduate students, researchers and reflective practitioners.

Rs. 350

PB

0 521 61392 2

(Cambridge University Press)



FOUNDATION

B ● ● K S

www.foundationbooksindia.com

4764/2A, 23 Ansari Road, Daryaganj, **New Delhi** 110 002 Tel: 23277332, 23285851 / 52 Fax: 23288534 E-mail: cupdel@cupind.com
C-22, 'C' Block, Brigade MM, K. R. Road, Jayanagar, **Bangalore** 560 070 Tel: 26764817, 26762764 Fax: 26761322 E-mail: cupbang@cupind.com
21/1 (New No.49) 1st Floor, Model School Road, Thousand Lights, **Chennai** 600 006 Tel: 28291294, 52146807 Fax: 28291295 E-mail: cupchen@cupind.com
60, Dr. Sundari Mohan Avenue, First Floor, **Kolkata** 700 014 Tel: 22845725 / 26 Fax: 22845727 E-mail: cupkol@cupind.com
Plot No. 80, Service Industries Shivane, Sector-1, Nerul, **Navi Mumbai** 400 706 Tel: 27709172, 27713810 Fax: 27709173 E-mail: cupmum@cupind.com
House No.3-5-874/6/4 (Near Apollo Hospital), Hyderguda, **Hyderabad** 500 029 Tel: 23244458 Fax: 23244459 E-mail: cuphyd@cupind.com

ISHITHAAR