

Federal and Provincial Public Management and the Civil Service Paradigm

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Abstract

This paper discusses the institutional structures of the civil service. The author traces four periods in this service, pre-1971, 1972-1977, 1978-1999 and 2000 onwards. In the first time period the author maintains the service worked well. In the second, the paradigm was vitiated. In the third period the anarchy continued by default. And in the last period the anarchy continued by accident. The author attempts to illustrate the growing disincentives in the paradigm for efficiency.

Introduction

It is important to restate the obvious when we wish to meaningfully discuss Public Management *per se* and the centrality of the Civil Service to such management. A civil service of innate intellectual capacity, demonstrated efficiency and ensured integrity is fundamental to sustainable public management in a bureaucratic state particularly, and in any other state generally.

We may clarify at this juncture that in the context of public management, the term 'bureaucratic' is perceived in its pristine purity, unsoiled by the judgmental disdain sometimes attached to it. When we speak of a bureaucratic state we refer to almost all the historical models of the state – starting with the Assyrian empire of the Tigris Euphrates valley some five thousand years back, to the Chinese ancient empire, to the Mauryas of India, the Abbasid and post Abbasid caliphates/Imamates and Sultanates of the Muslim world starting at the end of the first millennium, the Muslim empire in India, continental Europe of medieval and modern times, and directly of historical relevance to us, the British Indian State. It is important to refer to this historical depth and geographical vastness of the bureaucratic state model of public management, since the recent

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experimentation of the Anglo-Saxon model in Pakistan has had its repercussions of a prolonged and painful transition. In the entire spectrum of a large, heterogeneous world, the Anglo Saxon model remains an aberration, not replicated by the British even in India. The British only incrementally reformed the Chanakya – Moghul model in India.

In the historical prototypes referred to above, the fountain head of power in a state was the king / emperor / sultan supported by a small and strong standing army. Public management in the state essentially was concerned with the collection of revenues and maintenance of law and order (including collection of intelligence). These functions were performed by carefully chosen civil servants of varying authority and superintendence, both geographically and hierarchically. The rulers recognized the usefulness of this tool - the civil servant – and, therefore, laid heavy emphasis on their capacity and commitment. The capacity was ensured by a careful selection, generally through connections, and the commitment was managed by recognizing the level of reward such civil servants deserved. As a point of reference, it may be mentioned that in the first half of the seventeenth century (circa 1638) in India, the then counterpart of a grade 17 civil servant (in charge of a hundred horsemen) was paid Rupees thirty thousand per year. The equivalent of a BS-22 Civil servant (*Punj Hazari*) was paid Rupees fifty thousand per month. These mechanisms ensured a strong, efficient civil service of integrity.

Background: A civil service paradigm by design

In order to appreciate the development of a civil service paradigm in Pakistan, it is essential to recall, in some detail, the specific background of federal and provincial public management in the geographical premises that make Pakistan now. The legacy of public management inherited by us in 1947 had incrementally evolved over more than a hundred years, as a result of a civil service paradigm by design. It did not evolve accidentally – it was meticulously designed and continually refined, again by design and not by default.

In its modern history, our public management can trace its history to the East India Company, starting with when the company exercised with full authority its secured rights to collect and administer revenues in 1772. The district became the unit of such management and the supervisor was called the 'Collector'. We notice that the civil service paradigm then introduced was by design, and in these early days, propelled by a desire to create an efficient, strong civil service of integrity. J. W. Kaye in 1853, paid the following compliments to Warren Hastings in reforming the civil service in India:

“During his great experimental period of British rule, these was gradually springing up a race of trained administrators, around whom the old commercial traditions did not cling – who had not graduated in chicanery, or grown grey in fraud and corruption, and who brought to their work not only a sounder intelligence but purer moral perceptions, and a higher sense of what they owed to the people of the soil.”

We can notice that efforts to streamline public management through an impeccable civil service were afoot at that early time. We may also refer to the conscious design of the civil service to situate its members in a financial environment, not of unbounded abundance, but always beyond need. While emphasizing the importance of main-streaming Indians in the civil services, Sir Thomas Munro wrote in 1821:

“There can be no hope of any great zeal for improvement when the highest acquirements can lead to nothing beyond some pretty office and can confer neither wealth nor honor. While the prospects of the natives are so bounded, every project for bettering their characters must fail; and no such project can have the smallest chance of success unless some of these objects are placed within their reach, for the sake of which men are urged to exertion in other countries.”

While these measures were endeavoring to ensure efficient public management by a committed civil service characterized by integrity, a major revolutionary measure introduced in the Indian Civil Service was the selection of civil servants on merit, fairly and competitively, which was a paradigm not pursued anywhere else previously, except ancient China. It may be interesting to quote from a speech of 1853 by Lord Macaulay.

“These is something plausible in the proposition that you should allow him (the Governor General) to take able men where-ever he finds them. But my firm opinion is that the day on which the civil service of India ceases to be a close service, will be the beginning of an age of jobbing - the most monstrous, the most extensive and the most perilous system of abuse in the distribution of patronage that we have even witnessed. Every Governor General, would take out with him or would soon be followed by, a crowd of nephews, first and second cousins, friends, sons of friends, and political hangers-on. While every steamer arriving from the Red Sea would carry to India some adventurer bearing with him testimonials from the people of England.....”

According to the Act of 1853, it was decided that recruitment to the covenanted civil service was to be made on the basis of an open competitive

examination. This was seventeen years before Gladstone could introduce this system in Britain, and perhaps, as a system, the first place in the world outside ancient China. Thus the civil service paradigm, by design, ensured quality public management.

A Public Service Commission was appointed in 1886 under the Chairmanship of Sir C.U. Aitchison. Among other steps to include 'natives' in the Indian Civil Service, the commission recommended that cadre of covenanted civil service should be reduced to an elite cadre limiting its number to only the important administrative appointments, and some smaller appointments for ensuring training for junior officers. The recommendations of the Aitchison Commission formed the main character and complexion of the ICS. Thus were laid the foundations of a strong civil service.

To recall my earlier observation that the civil services of India were designed to be staffed by men of integrity, I may quote from the report of the Islington Commission of 1917:

“Government should pay so much, and so much only to their employees as is necessary to obtain recruits of the right stamp, and then 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.”

So the civil service paradigm we inherited in 1947, was designed to serve the sovereign in London and the subjects in India effectively, efficiently – and with dedication and integrity. The paradigm ensured:

- (a) That only persons of quality and integrity formed the civil service;
- (b) Separation of functions were clearly defined and the hierarchical relationship was not adversarial but complementary in nature;
- (c) Social justice to the citizen was the primary responsibility of the civil service unless it was in conflict with the sovereign's interest; and
- (d) The concept of an elitist, generalist cadre asserted and refined its time tested value.

Public Sector management in Pakistan – 1947 to 1971 – Civil Service Paradigm by default

The creation of Pakistan in 1947 was not preceded by any conscious articulation of the new and emerging demands on the civil services for

public management in a sovereign state, since as late as the summer of 1946, the Cabinet Mission plan was expected to be acceptable to all protagonists of power. To be generous to the early ruling elite, the turbulent transition from dominion to sovereign state, busied the wielders of power with relief, rehabilitation, and economic and political survival. There were no formal attempts at defining a new civil service paradigm to respond to the changed environment. So from the years 1947 to 1971, we notice a civil service paradigm by default and federal and provincial public management by institutional momentum and habit. The momentum, though, did not smoothly persist and perpetuate efficient public management. It was variously and occasionally injured by neo adventurists in a suddenly new, free for all, political arena and a general lack of accountability.

A new pattern of civil service growth and conduct was not defined. The government of the day replaced the sovereign in London; the citizens remained the subjects of pre-1947. Because of an inherited strong sense of public service and general habit of integrity, a large number of civil servants continued to serve the people, but almost invariably as benefaction to subjects and not as duty to citizens – the real sovereign in an independent state. A number of civil servants arrogated to themselves direct exercise of political authority and occupied political posts. Much of the impersonality of the civil servant was lost in the bargain.

The turmoil of partition and the turbulence of transition diluted the effectiveness of the civil service, adversely affecting public management. While the public service commissions functioned out of institutional momentum, the quality of public service was otherwise affected by a lot of inductions in the civil service through the other door. The sudden vacuum in the available human resource compelled many interventions which did not help the civil service sustain its competitive character. The salaries of civil servants were considerably reduced after 14 August 1947, and thus many could not resist the temptations of settlement claims, rehabilitation works and the loopholes of a closed economy. However, when we draw a balance sheet, we see that, even by default, the civil service's public sector management was generally up to the challenges of the shocks of partition of India. The elite service, the CSP, was most imbued with the default mechanism and tried to live up to its traditions. Whether it was Akhtar Hameed Khan, or Agha Shahi, physical adversities did not inhibit them from pursuing the highest levels of commitment and efficiency in public management. A large number of civil servants worked tirelessly for Pakistan's march forward, and the paradigm in default was not a paradigm eroded like foot prints on desert sand.

Public Sector Management – 1972 – 1977: A civil service paradigm lost by Anarchy by Design

1973 is, arguably, a watershed in our history, changing the course of public service in Pakistan, and the institution of the civil service in particular. The nihilist ideologues of the regime were understandably disturbed by the comfort of tradition and impatient with legacy and heritage. That they intended to build new and magnificent edifices of institutional structures for the glory of the people may be true, but posterity is unlikely to find traces of such accomplishments. However, as a first step, they began by destroying established institutions or tampering with their appearances so much as to make them unrecognizable. So, in my view, 1973-1977 is a period of anarchy by design, as far as a civil service paradigm is concerned.

As no fundamental restructuring of the civil services had been undertaken after 1947 and some civil servants had arrogated to themselves authority that belonged to the political will, a strong perception had persisted that the civil service had not been citizen friendly. Although, in the same breath we can add that neither were the politicians people friendly. The ideologues of the regime believed that the persistent civil service paradigm of default had to be destroyed and only then could it be replaced with a new paradigm responsive to the changing times. The civil service was, somewhat truly, perceived as status quo oriented and not amenable to discipline and change.

In one go, the constitutional protection available to civil servants was withdrawn, immediately hitting at the impartiality and intellectual integrity of the civil service. The nihilist agenda was immediately achieved. The civil service structures and terms of service were fundamentally altered. Perhaps the regime desired to create new and egalitarian structures, with clear cut definitions and roles. However the coming years, after 1973, did not see new structures and institutional mechanisms created, even if the inclination existed. Suddenly, the floodgates of anarchy were released onto the civil service, now a mob rather than organized groups of stratified structures.

As a result the whole body of civil servants was made vulnerable and infested with perverse incentives. The servility and obsequiousness of a civil servant was better rewarded than his or her competence and integrity. The humiliation and terror let loose on the civil servant was intended to teach them a lesson in unprincipled subordination and ingratiation. And it did. The civil service did not find any institutional support and could find cover only in patronage. And patronage had a price - integrity of all hues and

types. While a few individuals still demonstrated intellectual commitments, the vast majority was required to discover a new way of life.

While the confusion created may have strengthened the politician and that is a positive step on the path of democracy – public management did not gain in efficiency. Civil servants did not always act in tandem and the individual triumphed over the group.

The Civil Service Paradigm – 1978 – 1999 – Anarchy by default

The regimes between 1978 – 1999 relished the vulnerability of the civil service and no serious and meaningful efforts were made to evolve a new civil service paradigm geared to improve public management. Most initiatives were cosmetic and temporary interventions resulting from expedience. Perverse incentives now were getting deeply embedded in the civil servants' attitude to their role in public service.

As a direct result of the 1973 changes, the best of the civil services gravitated to the provinces and policy formulation, in an otherwise centrist political dispensation, suffered grievously, finding itself the captive domain of the least gifted. Federal public management was the principal sufferer at the hands of this anarchy by default – the inheritance of the 1973 changes – which was found useful by a succession of regimes. Personal agendas could be ruthlessly pursued at the cost of the interest of the citizens, who were left mercilessly to the whims of the political bosses through the good offices of the pliant civil servants. The defencelessness of the civil services added to the autocracy of the government of the day, denying them the benefit of helpful, impartial advice for the good of the state. This paradigm shift, if it can be so called, was a boon to some highly creative civil servants who pandered to the perpetually whetting appetites of their political masters for personal aggrandizement. One such creative artist single handedly injured the vitals of our economy through such luring schemes as the Yellow cabs, the Motorway and the independent power suppliers.

Civil Service Paradigm – Anarchy by Accident – 2000

Post-Oct 1999 ushered in an era of great and hectic reform activity in Pakistan. And the Devolution Plan changed the very shape – as it intended to – of public management at the sub – national and local levels. Without going into the efficacy of the Anglo Saxon model for the Pakistani social psyche, we have noticed a lot of confusion – I call it anarchy – resulting from it. The reason is not the model itself, which is academically most laudable. The reason is that it was not ushered in incrementally and the basic principles of healthy change management were not followed.

Transition issues were not identified beforehand and not addressed simultaneous with change. Hence the need to make amendments to the Police Order and Local Bodies law.

A side effect of this change is the anarchy it has accidentally generated in the civil service paradigm. The elitist generalist civil service is in a quandary – for possibly the first time, top positions in the competitive CSS examination are opting for the Police as the occupation of first choice. Without in any way aiming to belittle the police service, one cannot resist asking about the size of their role in public policy issues and public policy formulation. In my view public policy formulation needs the best human resources available to a state, and this anarchy by accident is denying this privilege to the state.

Civil Service Paradigm – Now and the Future

President Musharraf's role in ushering in reforms and piloting major initiatives is clearly most laudable. But since 2003, he shares discretion and oversight with the new Chief Executives – the Prime Ministers. And their commitment to reforms, particularly in the area of governance, has to move beyond the cosmetic, so that many of the reforms of 2000 to 2002 may not be undone by default. We have made great leaps in economic management, more circumstantially and environmentally compelled than by a civil service paradigm by design. The restructuring of CBR is still in its gestation period and the increase in revenues of the last few years cannot be attributed to this restructuring.

A commission on Government Reforms has been established, and we fervently hope Dr. Ishrat Hussain will live up to the hopes all of us place in him.

Politicians tend to consider a strong civil service as an affront to their discretion and authority. The history of the states of the last thousands of years teaches us the opposite. We need a strong and efficient civil service of integrity for a strong and stable political government. We therefore need to have a new civil service paradigm, by design, geared to service delivery, oversight, and policy formulation of the highest value and quality.

As a postscript, I may add, that elitism is one word too often profaned. In every society and civilization, growth is engineered by elites – be they prophets, philosophers, scientists, politicians, and even civil servants. Elitism has to be encouraged, nurtured and sustained, but elitism should be performance related – not birth related, not wealth related, not promise related and not circumstance related. The new paradigm must be focused on these objectives and like the great vizier of the Seljuqs –

Nizamul Mulk Toosi – ensure encouragement of an elitist generalist cadre in a new civil service structure. Better federal and provincial public management will simply be a direct result.