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Ezra

**THE EXCLUSIONARY DYNAMICS OF THE QUOTA SYSTEM IN
BANGLADESH: A FOUCAULDIAN ANALYSIS**

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LIST OF ACRONYMS

AL	<i>Awami</i> League
BCS	Bangladesh Civil Service
BPSC	Bangladesh Public Service Commission
CA	Constituent Assembly
CDC	Constitution Drafting Committee
FF	Freedom Fighter
GoB	Government of Bangladesh
ILO	International Labour Organization
NAP	National <i>Awami</i> Party
NPAW	National Policy for the Advancement of Women
PACC	Public Administration Computer Centre
PARC	Public Administration Reforms Commission
RBA	Rights-Based Approach
WPR	What is the Problem Represented to be?

ABSTRACT

The affirmative action of ‘quota policy’ has been adopted in Bangladesh, following the ‘distributive’ and ‘compensatory’ justice, to ensure ‘equal distribution’ and ‘representation’ in the public services, preventing prevailing discrimination and correcting past injustice to any ‘disadvantaged’ section. However, the historical evolution and practical application of the ‘quota system’ portray it to promote further discrimination and ‘exclusion’ within the underprivileged groups, thus to broaden the gap in the social block of the country as well as crafting cleft in the national aspirations of ‘participatory governance’. The present study therefore questions and accordingly examines this anomaly within the quota system in Bangladesh, considering this issue of ‘power’ influenced ‘exclusionary dynamics’ of the very system as the central research question.

Hence, to substantiate the arguments and extract the ‘power’ dynamics from the findings, this paper applies the Foucauldian lenses of ‘power/knowledge’ and ‘genealogical’ study along with a specific discourse analysis method. With the conceptual framework and methodological strategies, the paper divulges the ‘power’ based ‘selective’ approach of the quota system in the application of different categories of quotas claiming that, this has been aiding more the national disintegration than reinforcing the ‘bond’- enormously needed for the ‘development’ of the country. Acknowledging and examining the existence and extent of ‘exclusionary dynamics’ within the quota system, the study nevertheless tries to propose several resolutions to reform the system. For instance, rectifying the selection criteria, taking additional affirmative actions to lessen the gap between different beneficiaries that has been increased by this system, introducing a new ‘class’ based preference system etc., believing that these can help to make the public service more ‘equitable’, ‘representative’ and ‘participative’ ensuing all the hallmarks of ‘democratic’ governance.

RATIONALE AND RELEVANCE OF THE RESEARCH TO THE DEVELOPMENT STUDIES

The concern of ‘exclusionary dynamics’ of human rights-based approaches, as explicated in this paper in terms of the ‘quota system’, can be argued to be a root cause that has given birth to many human rights violations across the world for ages. Moreover, human ‘development’ shares a common vision with ‘human rights’, considering ‘freedom’ of every human being as the common goal. And in pursuing capabilities and realizing the rights, this freedom is fundamental as people must be free to exercise their choices and to participate equally in decision making that affects their lives. Thus, human development and human rights are mutually reinforcing, helping to secure the well-being and dignity of people, building self-respect and the respect of others (Marks, 2005: 35), breaching the ‘hierarchical’ ‘power’ based dogma. Henceforth, many development ventures, like the ‘quota system’ in Bangladesh, often have been found to try to connect and legitimize their initiatives fitting into those within human rights ‘discourse’ or ‘advocacy’. And sometimes posit threats to the ‘equal’ realization of the human rights through manipulating the practices of human rights advocacy- ‘favouring’ a few and ‘eliminating’ others in the name of mobilizing rights of the mass.

Hereafter, the potential threat of ‘exclusion’ of certain groups nourishing ‘inequalities’ within the human rights-based approaches, can also contradict the fundamental objective of human development. By way of considering/practicing human rights for the selective/powerful ‘self’ while excluding the less powerful ‘other’ cannot be a real platform to materialize human development with full participation, freedom and dignity. Besides, this is also a development concern in this 21st century, particularly regarding human centred development, as expressed in the ‘goal 10’ of ‘reduced inequalities’ of the Sustainable Development Goals (SDGs). Furthermore, lack of ‘equal representation’ in the public services and in any development initiatives may also frustrate the ‘social development’ projects and policies, widening social ‘inequality’ and ‘exclusion’, just the same can be seen in the Quota policy of Bangladesh. Therefore, this is a topic needs to be re-evaluated to safeguard human rights advocacy practices from such ‘exclusionary’ perspectives and advance Development Studies as well.

KEYWORDS

Bangladesh; Discourse; Exclusionary dynamics; Genealogy; Human Rights; Michel Foucault; Power/knowledge; Quota system; Rights-Based Approach; Underprivileged.

CHAPTER ONE

INTRODUCTION TO THE STUDY: BACKGROUND AND BASICS

1.1 INTRODUCTORY NOTE

There is a growing concern among both legal and sociological scholars about the ‘exclusionary dynamics’ of human rights discourse or advocacy, considering it one of the primal issues responsible for the present fragile state of human rights throughout the world. It is important to mention that, the very term ‘exclusionary dynamics’ implies the process that limits access to the rights, resources and capabilities of individual’s or groups’, required to enjoy certain benefits for a healthy life (Adam and Potvin, 2017: 778). In particular, this is a dimension within a certain human rights approach that entails the “failure of concerned system to enable individuals to equally participate” (ibid: 780). For instance, the argued ‘discriminatory treatment’ of the human rights-based approach of ‘quota system’ in Bangladesh, as is explained throughout this paper, which makes the very system a failure to maintain ‘representative bureaucracy’ that it aims at, causing discerned arrangements, limiting opportunities and thereby excluding a certain group of quota beneficiaries within the same categories (Siddiquee, 2003: 45) of the system. Hence, this very dynamics generally encompasses vigorous, multi-dimensional practices driven by ‘unequal’ ‘power’ relationships interacting across four focal levels – economic, political, social and cultural (Popay, 2010: 296). Seemingly, almost in every society individuals or groups vary based on their command over the aforesaid sources of power. While some possess more, others have little or no control of power which gradually makes the later ‘marginalized’ or ‘disadvantaged’. And this different degrees of power are sustained and perpetuated through various instruments, where ‘law’ or ‘policy’ sometimes plays significant role (Veneklasen and Miller, 2006: 38). Therefore, the ‘exclusionary dynamics’ specified in this study can be defined as, the systemic perpetuation of ‘power’ based ‘elimination’ or ‘discrimination’ of/to individuals or certain groups from/in enjoying beneficial treatments equally, through a human rights-based policy itself- as claimed in this research through the quota policy of Bangladesh. Hereafter in this paper, the term ‘exclusionary dynamics’ is also denoted as ‘exclusive dimension’ and ‘selective approach’, though embody the same meaning.

However, as the presence of the ‘exclusionary dynamics’ is perceived within the human rights-based ‘quota policy’ in Bangladesh and claimed to pave the way of further ‘exclusion’ instead of upholding the rudimentary resolution of ‘inclusion’ to ensure participatory form of democracy, this paper is an effort to problematize and observe this ‘selective approach’ of the existing ‘quota system’ in Bangladesh. In so doing, the research paper is structured into five chapters including this introductory chapter, which aims to introduce the readers to the background and basics of this research. Therefore, this chapter starts with the clarification of the term ‘exclusionary dynamics’ and includes also the illumination of the problem statement and its plot, justification, original contribution, research questions, methodological journey, challenges and a brief chapter outline of this study.

1.2 THE RESEARCH PROBLEM AND ITS CONTEXT

This part gives a short overview of the research problem and its background to help the readers to easily grasp the subject matter of this research, which will be elaborated evidently through the succeeding chapters of this study. Hence, in 1972, immediately after getting independence from Pakistan, the ‘quota policy’ was first promulgated in Bangladesh through an ‘interim executive order’ (Azam, 2018: 13) and successively passed by the Constituent Assembly (CA). Majority of the political leaders belonged to the then party in power argued in favor of the ‘quota system’ claiming it a way to uphold the equal opportunities for specific ‘disadvantaged’ or ‘backward’¹ groups in the public service, to continue social balance reducing inequalities and social exclusion, and to keep the bureaucracy less elitist and more representative (Zafarullah, 2010: 92). After being promulgated and revised through periodic amendments, the present ‘quota system’ consists of 26% reserved seats in the total allocation of public services and arranged into four categories with specific proportion of shares respectively, district quotas (10%), women quotas (10%), tribal or indigenous minority quotas (5%) and quotas for disabled or physically handicapped people (1%) (Musaddequa, 2014: 70-72). Nevertheless, according to the existing quota policy, candidates willing to invoke quota facilities have to go through a ‘self-identification’ process. Particularly, they have to categorize and ascertain themselves as to belonging and qualifying those categories, by checking the respective boxes in the application form (see Appendix I)² while applying for the jobs. And they have to supply the necessary evidences in support of their claim only in the final stage of the examination, i.e. during the viva voce. Therefore, this very often creates opportunity of ‘malpractices’ which will be discussed more in chapter four.

However, though the ‘quota system’ seems to be coherent with its whole arrangement, a deep analysis of the historical evolution of the very system and its actual practice can be argued to reveal numerous criticisms. In 2013, the irregularities of the quota system, predominantly the exclusion of the eligible candidates from availing ‘district quotas’ due to its flawed pre-conditions, made several applicants to cover the news in one of the prominent English daily newspaper demanding its quick ‘reformation’ (Habib and Chakraborty, 2013: n.p.). In particular, this human rights-based ‘quota system’ can be claimed to nurture an inherent discriminatory place or ‘exclusionary dynamics’ keeping focus on the ‘unequal’ ‘power’ relations of the applicants. This often appears to be fatal to the actual human rights realization by diverting the system from its noble purpose of ‘nation building’, benefitting and uplifting the ‘backward’. For instance, the ‘quota system’ in practice demonstrates uneven distribution of the ‘district’ and ‘women’ special quotas, respectively between urban/rural areas, developed/least developed districts (Yasmin, 2010: 27), and among affluent/destitute women (Uddin and Chowdhury, 2016: 7-8), due to the existence of ‘imbalances’ of ‘power possession’ among the job seekers. Moreover, ‘tribal quotas’ are found to be

¹ The term/word ‘backward’ has been used several times in this paper, though it may have some negative connotations or be considered as ‘offensive’ by many. However, the justification of using the term is, ‘backward’ is the ‘official’ terminology that is used in the Article 28(4) of the Constitution of Bangladesh to recognize/identify those who need the special facilities of ‘quota’.

² Contains BPSC Form– 1, with boxes/options (marked as red) to be filled by the applicants appealing for ‘quota’ facilities.

distributed mostly among *Chakmas* excluding other tribes (Morshed, 1997: 152), as being less in power control comparing to the former. And the availability of ‘disability quota’ can hardly be seen in practice as they completely lack ‘power’ agency. Consequently, the ‘quota system’ is found to be promoting those who are already in privileged position with more power exerting capabilities, such as people of urban/developed areas with higher living standard or women coming from well-off background, excluding the marginalized sections whom this system was actually aimed to promote. Thus, the very system ultimately vitiates the underlying philosophy of the human rights-based approaches in Bangladesh upholding the ‘power’ based ‘exclusionary dynamics’ within itself, in the refuge of advocating and protecting human rights.

This critical observation on the human rights-based ‘quota system’ in Bangladesh has inspired and justified me to situate the argued ‘exclusionary dynamics’ as my research problem and made me explore and explicate the very system in details to figure out the real existence and extent of this ‘exclusive dimension’ in the ‘quota system’ of Bangladesh. Moreover, this understanding also motivates me to do research on the aforementioned issue with a special aim that, all the factors create, foster, and legitimize hierarchies, oppressions and exclusions within human rights discourse or advocacy through ‘power’ domination/differentiation, like the problem represented in this paper, need to be revisited and changed. Furthermore, this critical remark can make the paper relevant and interesting to academia as it can fuel further enquiry on how to challenge this problem within the ‘quota system’, to the civic actors/NGOs to address the real gaps in practice and, mostly to the right holders/marginalized whose voice have been suppressed due to remaining in the downstream of the power play.

Henceforth, I will explore the claimed ‘exclusive’ existence in the ‘quota system’ of Bangladesh focusing the Foucauldian study of ‘power/knowledge’. The reason of choosing this theoretical framework is that, this paper primarily assumes the ‘inequalities’ of ‘power’ of the beneficiaries as one of the main responsible factors of the ‘exclusionary approach’ within the discourse of ‘quota’, and Foucauldian nexus of ‘power/knowledge’ aims to discern this ‘power’ dynamics from a certain ‘discourse’ or ‘policy’. Therefore, Foucauldian conceptual framework along with the post-structuralist method of ‘What’s the Problem Represented to be’ (WPR) can rightly serve the purpose of this study. Besides, by way of following Foucauldian conception, this particular method of WPR always includes an analysis of texts and policies from their “broader (societal) context and power relationships” (Jansen, 2008: 111). Nonetheless, these theories along with the method might seem to be so abstract in nature, but can have serious practical implications in investigating and establishing clear relation of ‘power’ and its abuse within the said ‘research problem’ of this paper. In addition, this revelation can act as significantly beneficial to determine possible reformative initiatives to encounter this power based ‘exclusionary dynamics’ of the ‘quota system’ and accordingly to make the system beneficial for its true beneficiaries.

1.3 JUSTIFICATION OF THE STUDY, ORIGINAL CONTRIBUTION AND RELEVANCE TO THE SOCIETAL GAP AND WIDER ACADEMIC DEBATES

Most of the literature reviewed by this study on the present human rights-based approach of ‘quota system’ in Bangladesh, represent its overall ineffectiveness by the way of creating more ‘exclusion’ and ‘discrimination’. Therefore, there has been an societal outcry on the need to critically examine the system as to its nurturing ‘exclusionary dynamics’ and to suggest necessary reforms to combat this issue within the current setting of ‘quotas’. In this context, the present study concentrating on the ‘exclusionary dynamics’ of the quota system and thereby recommending its possible reformations, can be useful to fill up the above-mentioned societal gap and to create a ‘balanced’ and ‘equitable’ society. In addition, I have come from a country like Bangladesh, a small south-Asian territory, which is beset with numerous human rights concerns, for instance, corruption, extreme poverty, political instability, widespread violence to women/girls, religious and indigenous minority rights violation, extra-judicial killings, gender and identity politics etc. (Human Rights Watch, 2021: n.p.), and also have legal studies background with specialization on International Human Rights Law. Accordingly, my own positionality/perspective has given me food for thought and motivation to research on the present vulnerable condition of human rights advocacy in Bangladesh taking the ‘quota system’ as one of its practical instances. Since, the very system is argued to marginalize the marginalized more by excluding them from getting additional facilities of ‘quotas’ for their development, and advance the advanced by over facilitating them with ‘quotas’. And this kind of flawed power play within a human rights-based approach can make the whole human rights advocacy system of Bangladesh more delicate and fragile. Thus, this paper finds it justified to significantly focus on such issue of ‘exclusion’ within a human rights-based system itself, with an apprehension that this ‘exclusionary dynamics’ might remain alive until/unless it has been addressed as a global concern.

Additionally, ‘law’ being a ‘socially’ defined ‘dependent variable’ (Hertogh, 2004: 475), it needs to be studied, understood, and practiced with social realities. This keeps room for the sociological investigation of human rights law based welfare policies as well. Moreover, Foucault expanded ‘knowledge’ or ‘discourse’ as the conjunction of ‘power’ relations and information seeking, and coined it as ‘power/knowledge’ (Mills, 2003a: 69). He believed, imbalances on any sort of power relations in the society fuel ‘knowledge’ production to benefit the stronger by dominating and depriving the weaker (ibid). Therefore, the Foucauldian nexus of ‘power/knowledge’ meets the ‘inter-disciplinary’ plea mentioned at the beginning of this paragraph, by showing how societal power dimension influences ‘knowledge’ production through human rights-based policy discourses, from its promulgation to the realization. Also, this seems as quite similar to the previously explained research problem of this project. Then, taking insights from the analytical framework of Michel Foucault’s Archaeological and Genealogical study of ‘power/knowledge’, where he emphasized on strong discursive formations of ‘truth’ and ‘authority’ through institutional alignment (Foucault, 1972; Foucault, 1980) and the power of warrant of the ‘elites’ constraining that difficult to resist (Cherrington and Breheny, 2005: 90), this work considers it important to analytically examine the ‘exclusive dynamics’ of the human rights-based ‘quota system’ in Bangladesh.

Moreover, the present academic field involved in the critical analysis of the human rights discourse, for instance writings of Makau Mutua and Joseph R. Slaughter, Jeff Handmaker and Thomas Mathew, Sally Engle Merry, are mostly found to deal with the ‘exclusionary dimension’ of human rights ‘framework/corpus’ only. In fact, this critical issue can now be traced in the human rights ‘advocacy’ or ‘practices’ as well. However, this study confirms the ongoing academic concerns/debates regarding the presence of the ‘exclusive dimension’ on human rights framework. Additionally, it tries to fill the gap of the existing literature by focusing on the extended nature of the very ‘dimension’ in the human rights advocacy/practices, with the stance of one of the human rights advocacy tools in Bangladesh i.e., the ‘quota system’. In this way, this research has the potential to add/contribute one more aspect in the process of critical understanding of human rights discourse.

1.4 RESEARCH OBJECTIVE AND QUESTIONS

Conforming to the key nature and the context of the research problem of this project, this paper attempts to critically examine the existing human rights-based ‘quota system’ in Bangladesh. The study therefore aims to reveal the actual potential and magnitude of the very system to inhabit elitist bargaining or ‘exclusionary dynamics’, based on the inequalities of power possession/relation of the right-holders, keeping resemblance to the Foucauldian construction of the ‘power/knowledge’ analysis. In order to reach this objective, I have tried to advance the project addressing the following central question:

- How does the ‘exclusionary dynamics’ exist and to what extent influence in the human rights-based approach of ‘quota system’ in Bangladesh, underpinning the Foucauldian discursive conception of ‘power/knowledge’?

And so, to address this question, I examined the presence and scope of ‘exclusive dynamics’ in Bangladesh’s ‘quota policy’ and tried to investigate its connection with the ‘power/knowledge’ nexus of Michel Foucault. Thus, to respond the principal research question, I have studied the following three subsidiary questions:

1. What is meant by ‘affirmative action’ or ‘quota arrangement’ in human rights discourse/advocacy in general?
2. In what ways and to what extent is ‘quota system’ in Bangladesh inclined to the ‘exclusionary dynamics’?
3. In what ways do ‘power/knowledge’ correspond to each other under the Foucauldian discursive analysis and how can this concept be made relevant in the present ‘quota policy’ in Bangladesh?

Hence, this paper explores a timely issue/question in the human rights advocacy/discourse, taking the national/local context of the ‘quota system’ in Bangladesh as one of the applied examples of human rights advocacy practices.

1.5 METHODOLOGICAL STRATEGIES AND METHOD

Methodologically, this work primarily falls within the category of qualitative research that will engage with the normative framework of the human rights-based ‘quota policy’ in Bangladesh, with a conceptual discussion based on Foucauldian discursive analysis. Moreover, this project uses an analytical framework in which the ‘exclusionary dimension’ of the ‘quota system’ in Bangladesh will be analyzed through Foucauldian lenses of ‘power/knowledge’ with special focus to one of the post-structuralist’s Discourse Analysis methods of ‘What’s the Problem Represented to be’ (WPR) (Bacchi, 2009). The rationale behind selecting this method is, unlike any other methods, the aforementioned methodological framework along with particular method of WPR clearly link to my overall theoretical perspective, and as this paper deals with the critical analysis of the existing ‘quota policy’, WPR is one of the best suited discourse analysis methods for the ‘policy’ analysis. In particular, there is a historical/long-back growing interest in the role of law/policy in constructing the world via ‘language’ and ‘discourse’ (Goodwin, 2011: 167) which always takes after the tone of those ‘in power’. In every society the production of discourse is at once controlled, selected, organized and redistributed “by a certain number of procedures whose role is to ward off its powers and dangers, to gain mastery over its chance events, to evade its ponderous, formidable materiality” (Foucault, 1981: 52; Mills, 2003b: 57), especially over those who are marginalized. Consequently, there is an emerging literature demonstrating the applicability of ‘discourse analysis method’ (Goodwin, 2011: 167) in the ‘policy-based’ analytical research, and this ultimately made WPR one of the best methods in policy researches. Hence, as this research follows the same genre, analyzing the relevant data using this discourse analysis tool can facilitate my endeavor to answer the central question postulated in this paper.

Notably, among the 6 standard questions of WPR, this paper focuses on the 3 questions only. The reason of approaching these 3 questions is, these seem to have more practicability to address my primary and three ancillary research questions. For instance, the first and second questions of WPR are, ‘what’s the problem represented to be’, and ‘what presuppositions/assumptions underlie this representation of the problem?’ These two questions “discern how the ‘problem’ is represented and subject this problem representation to critical scrutiny” (Bacchi, 2012: 21). These further involve mode of problematizing that interrogates the deep-seated assumptions and presuppositions within policies—the “unexamined ways of thinking that underpin accepted practices and also excavate the subjugated knowledge” (Bacchi and Goodwin, 2016: 38) behind the discourse. Therefore, these can help to figure out the ‘represented problem’ by the policy makers that is intended to be solved through this ‘quota policy’ in Bangladesh. And a critical scrutiny of the underlying assumptions of the problem represented, can assist to reveal the Foucauldian ‘power/knowledge’ nexus within the quota policy by showing how power dynamics of both the existing society and the policy makers worked in the creation of this knowledge/discourse of ‘quota policy’. Furthermore, the third question regarding the ‘material impact’ of a certain policy, can expose the ‘power’ dynamics that keeps influence even in the realisation of the concerned policy. More precisely, the first two questions of this particular method of WPR analysis, directly correspond to my third research sub-question of examining the relevance

of ‘power/knowledge’ dynamics in the existing ‘quota policy’. And the third question of WPR relates straight to answer my second research sub-question by exploring the substantial impacts of this ‘quota policy’ and manifesting ‘exclusionary/exclusive approach’ within this human rights-based ‘quota system’ in Bangladesh.

Remarkably, the justification of leaving out the ‘other three’ questions of WPR is, those are almost included within my response to the first three questions of WPR. For instance, the fourth, fifth and sixth questions are- ‘how has a problem representation evolved/come about’, ‘what are the silences within that representation’ and ‘how this representation has been defended’? Among these three, the evolution history of the problem representation in the ‘quota policy’ has been addressed already through the historical conceptualization of the ‘quota system’ in Bangladesh, as discussed in chapter three. Likewise, the fifth and sixth questions on the ‘silences’ and ‘the possible defence’ of/against that representation, have resemblance with the entire discussion related to the existence of ‘subjugated knowledge’ in the ‘quota policy’. Therefore, covered and elaborated within the explanation of the second question of WPR, also keeping concern to the word limits of the paper. For further clarification, I am putting the 6 questions of WPR in the following table, particularly pointing out the 3 (in *italic*) those have been concentrated in this project. However, I have changed the original order/sequence of the questions to remove additional confusion in my analysis regarding the serial numbers.

Table 1: List of the Questions Exercised in the Discourse Analysis Method of ‘WPR’

Applied Discourse Analysis Method	6 Questions Exercised in that Particular Method
What’s the Problem Represented to be (WPR)	<ol style="list-style-type: none"> 1. <i>What’s the ‘problem’ represented to be?</i> 2. <i>What presuppositions/assumptions underlie this representation of the ‘problem’?</i> 3. <i>What effects are produced by this representation of the ‘problem’?</i> 4. How has this representation of the ‘problem’ come about? 5. What is left unproblematic/silent in this ‘problem’ representation? 6. How has this representation of the ‘problem’ been produced and defended?

Source: (Bacchi, 2012: 21)

1.5.1 DATA COLLECTION AND ANALYSIS

The nature and scope of this research requires analyzing the primary data/sources including the concerned ‘quota policy’ and legal instruments like the Constitution of Bangladesh. It also draws insights from the secondary data sources including original reports, official records of the public administration ministry/departments and human rights organizations, books, journal articles, various published and unpublished scholarly works, and internet sources etc., which offer critical reflections on the thoughts of the relevant thinkers. However, I focus only secondary data sources to address research sub-question 1 and both primary and secondary documents to answer research sub-questions 2 and 3. Given this, the very project does not engage in field work other than doing hermeneutics by using computing facilities, concerned reports and reading materials in the library.

1.5.2 LIMITATIONS OF THE STUDY AND CHALLENGES ENCOUNTERED

The present study does not necessarily take into consideration the context of other government services which are also being covered by the existing quota policy, such as the services of the Constitutional bodies, statutory organizations and the sectors of local and parliamentary representation. Instead, it only limits its 'scope' to the 'cadre' services of the Republic-recommended, recruited and controlled under/by the Bangladesh Public Service Commission (BPSC). Moreover, constraints have been faced to access several relevant resources such as online newspapers, documents and government online websites, due to having strong copy rights restrictions and confidentiality issues inclined to those sources to be downloaded and explored. This can also be considered as one of the major limitations of this paper, as the study is considerably based on the analysis of the primary and secondary documents available on the online sources. Despite having these shortcomings and limitations, the attempt of this paper can be claimed as a good starting point to unpack the issue/problem of 'exclusionary dynamics' in the human rights-based 'quota system' of Bangladesh.

1.6 ORGANIZATION OF THE PAPER

This research provides a critical analysis of how the 'exclusionary dynamics' have made its place within the 'quota system' of Bangladesh. In so doing, along with the introductory chapter, this study is organized in four more chapters. The paper begins with a brief indication of the nature and context of the research problem and thereafter focuses on the justification, original contribution, research questions, methodology and limitations of the study in the introductory chapter. This familiarizes the readers with the background of the paper and clarifies some fundamental issues related to the research. Then, the second chapter presents the analytical/theoretical framework of this paper explicating Foucauldian discursive analysis of 'power/knowledge' with special reference to his Archeological and Genealogical study. This creates a concrete theoretical base of the study on the basis of which subsequent arguments stand and proceed. It also includes a short outline of the relevant literature to this paper that leads the project along with the ongoing academic ambiance. The following chapter explores the potential and extent of 'exclusionary dynamics' in the human rights-based approach of 'quota system' in Bangladesh, through conducting a genealogical study of the very system with special emphasise to its historical evolution and its current practice. This chapter is designed and therefore leads to the exploration of the major findings keeping coherence with the central research question of this study. Part four critically elucidates the findings of the third chapter in relation to the theoretical base of the study i.e., Foucauldian lenses of 'power/knowledge', which helps to rationalize the evaluation of the findings and strengthen the key arguments of this paper to reach the conclusion. Finally, the penultimate chapter reviews and summarizes the overall discussion, proposes some likely way-outs and draws relevant conclusion, thus reflects a complete image of the research paper attempting to meet the concerned academic and social gaps.

CHAPTER TWO

CONCEPTUAL CONSTRUCTION AND A BRIEF REVIEW OF LITERATURE

2.1 INTRODUCTORY NOTE

This chapter tries to outline the conceptual considerations that underpin this study. Therefore, it sets the ground for the readers to gain an insight in the key concepts analyzed in this paper to expound the ‘exclusionary dynamics’ of human rights-based ‘quota system’ in Bangladesh. Moreover, clarifying the Foucauldian discursive analysis of ‘power/knowledge’, it also answers the first part of my research sub-question 3 on how the concept of ‘power/knowledge’ correspond to each other. The conceptual lenses presented here are chosen as they best fit the context of this research. Since, the crux of the problem delineated in this study is the ‘exclusionary approach’ of human rights advocacy by creating and practicing ‘discourse’ of quota policy through dominant and hegemonic ‘power play’, and the two Foucauldian conceptions applied and expanded in this chapter enquire the alike issues within a ‘discourse’ in a very comprehensive way. Hence, this chapter represents two different but complementary constructions of Michel Foucault’s ideas to uncover the above-mentioned underlying dilemma within the quota policy. Furthermore, to examine the present quota system in Bangladesh, this chapter offers and considers the ongoing academic debates on the affirmative action of quota policy, consisting of two prevailing views of ‘abolitionist’ and ‘reformist’, revisiting the relevant literature. Lastly, this section gives a summary of my analytical framework and views, to be operationalized in the next chapters of this study.

2.2 FOUCAULDIAN NEXUS OF ‘POWER/KNOWLEDGE’

What is ‘Knowledge’? Is it a fact, truth or something else? Michel Foucault, a twentieth century critical thinker, has answered this puzzle linking it with the notion of ‘power dynamics’. There is nothing like ‘fact’ or ‘pure truth’. Rather, to establish a ‘fact’ other equally valid statements need to be discredited or denied (Mills, 2003a: 67), which ultimately creates ‘knowledge’. Therefore, Knowledge is not something to be discovered rather it is constructed through an exclusionary process by webs of discourse originated through hegemonic power relations. In Foucault’s voice,

[e]very practice can be understood in terms of the statements that it will accept as knowledge, a process that is framed by the current episteme, but which is constituted by a complex network of relations peculiar to each field. (ibid: 71)

For instance, creation of the knowledge or discourse of ‘sex’, ‘prison’, ‘mental asylum’ by the “mainstream”, through the ways of “differentiation of values”, which considers ‘one/self’ as within the ‘order’ and excludes ‘other’ on the grounds of legal and moral ‘perversion’ to perpetuate hegemonic power and to facilitate its diffusion within the body politics (Foucault, 1977a: 150-151). The ‘artistic’ representation/construction of the ‘orients’ as uncivilized, uneducated, lazy, sexually pervert etc. is also considered as a ‘discourse’ or ‘knowledge’, construed and obsessed with power, domination and hegemony over the biggest colonies like India, Africa by the ‘western colonizers’ (Said, 2003: 21) to legitimize their ‘civilizing mission’.

Thus, Foucault expounded 'knowledge' as the conjunction of 'power' relations and an implication of each other (Foucault, 1980a: 131-133). Consequently, he coined it as 'power/knowledge' (Foucault, 1977b: 28). According to him 'power' and 'knowledge' directly imply one another, there is no survival of power relation/dominance without the correlative constitution of a field of knowledge or discourse, nor any knowledge that does not presuppose and constitute at the same time power relations (ibid: 27; Mills, 2003a: 69). Henceforth, as in the Foucauldian framework knowledge and power are inextricably linked, one needs to consider the role of the power dominance and influence that become attached in the creation of every knowledge or particular discourse, like quota policy in Bangladesh, and the impact of this power exercise upon the behaviors/perceptions of members of that community (Olsson, 2010: 70). Therefore, Foucault rightly used his newly formed compound 'power/knowledge' emphasizing the contingency of these two elements over one another. He further argued that, imbalances of power relations between men on women, white on black, colonizer on colonized, dominant on dominated, powerful on powerless, always provides information and opportunities for the production of knowledge/discourse on the weaker ones to uphold the 'elite supremacy' (Mills, 2003a: 69). And it is sustained through 'experts' and 'systems' which reproduce the 'conditions of possibility' for certain knowledge to be privileged over others (Foucault, 1980b: 61-62). The effects of power are linked to knowledge through the privileged status of experts who perform actions based on their knowledge and status (such as legislatures, doctors and teachers). The effect of that knowledge transmission on people is therefore a direct outcome of its relationship with power (Foucault, 1980c: 50-52).

Moreover, Foucault most often conferred "normalization as a technique of power exercise" (Rouse, 2005: 101) where "power is employed through a net-like organization" (ibid: 100) in a very valid way. In particular, he explored the technologies of 'power/knowledge' relations of domination processes and the arbitrariness of modern institutional discourse in creating 'truth' and 'normality' (Ball, 1990: 3-5). Foucault implied that in most of the instances 'those' in power, use this technique to create a discourse/knowledge and exercise power thereby with reference to the prevailing standard of that discourse/knowledge, even in the absence of external 'coercion' (Manokha, 2009: 451). To accomplish this purpose, knowledge or discourse always excludes the debates on fact/fiction, truth/false, normal/abnormal etc. which Foucault termed as 'subjugated knowledge' (1980d: 82; Hartman, 2000: 19). Keeping those contradictions aside, it always listens to the dominant and speaks for the fact which is subjected to a thorough process of 'ratification' and 'repetition' by persons in authorities, even though it being the media news which, usually, seems to be impartial and pure truth. This can be claimed to have resemblance with the adoption of 'quota policy' in Bangladesh, which has been promulgated through the ruling party decision only without taking public opinion for whose benefit it is supposed to be used, as well as keeping no room for differing arguments (Khan and Ahmad, 2008: 7). Furthermore, 'power' is being used to 'exclude' those who are comparatively weaker in power without applying any force, instead as 'natural' consequences of the 'quota system'. Thereby, the extent to which 'one' definition of truth or knowledge or discourse is recognized and how far 'alternative' definitions are resisted, again depends upon the interplay of dominant 'power' relation (Preece, 1997: 121). Hence, Knowledge or discourse can never be

absolutely ‘objective’ and ‘dispassionate’ rather works in the interest of a particular group (Sawicki, 1991: 27). Foucault put it as:

knowledge can be termed as ‘a discourse of statement’ bearing the legacy of the political analysis of dominant forces in power and these ‘discursive formation’ through power-play are often associated with particular institutions or sites of power which have effects on individuals through regulating their thinking and impacting on social practices (quoted in Mills, 2003b: 64).

Foucault also opined that this theoretical approach of ‘power/knowledge’ is potential of being practiced in the ‘Development’ sectors through human rights policies to produce a disciplinary society for the sake of welfare (Escobar, 1984: 378-79). Furthermore, it is Foucault’s fundamental contention that in every society the production of discourse is controlled, organized and redistributed according to a certain number of power procedures (ibid: 379), in which ‘Development’ discourse also enters into the nexus of power and knowledge. In this way, “development will be seen not as a concrete matter of scientific knowledge, a body of theories and programs concerned with the achievement of true progress, but as a series of political technologies intended to manage and give shape to the reality of the third world” (ibid: 384).

Thus, Foucauldian conception of ‘power/knowledge’ elucidates the role of ‘power’ in terms of creating particular ‘knowledge/discourse’, for instance the emergence of quota policy in Bangladesh that will be discussed in detail in the following chapter, and critically examines the true purpose and impact of such discourses in practice. These make the very concept rightly link to my central research question, thereby address my quest for evaluating the ‘power’ based ‘exclusionary dynamics’ of the present ‘quota system’ in Bangladesh- one of the human rights-based initiatives taken by the former party in power. Now I am going to explain another concept of ‘genealogy’ by Foucault, which will supplement me to organize and justify my subsequent arguments placed in this paper, along with the notion of ‘power/knowledge’.

2.3 FOUCAULDIAN CONSTRUCTION OF ‘GENEALOGY’

Genealogy is concerned with the effective formation of discourse by non-discursive practices, such as socioeconomic factors, institutions, administrative requirements, etc. (ibid: 379). The objectives of genealogical study are to focus on those practices of modern culture embodied in specific technologies, their localization in different discourses, institutions and disciplines, and the processes by which they arise and develop (ibid). It is important to note that, Foucault’s reflections on genealogical analysis demonstrate that it is inextricably linked with a commitment of critical analysis to the discovery of forms of ‘oppression’ and ‘power’ ((Manokha, 2009: 434). Therefore, genealogy of power is a way of Foucault to analyze the relationship or practice of knowledge and power as mutually related to one another (Ritzer and Goodman, 2007: 612). In that way, it is a complementary study of Foucauldian conception of ‘power/knowledge’ through which the genealogists undertake a diagnosis of a current situation, concentrating on the political technologies constituted by the interrelationship of contemporary forms of ‘power’ and ‘knowledge’ (Escobar, 1984: 380).

Precisely, a simple definition of Foucauldian 'genealogy' would be that, it is a 'specific' type of history (Foucault, 1980a: 117) and this is what Foucault called "writing the history of the present" (Escobar, 1984: 379). He believed that, it is only by writing the history of the present we can develop "a historical awareness of our present circumstance and get to know the historical conditions which motivate our conceptualization" (Foucault, 1983: 209). Therefore, genealogical history begins with a diagnosis of the present. The genealogist-historian locates the manifestations of a given 'meticulous ritual of power' to see where it arose and how it developed. Consequently, Foucault's genealogical history differs from traditional history. Genealogy writes the history of the 'objectification' of those elements which historians consider as objectively given. Foucault's genealogy is similarly an attempt to study historical 'discontinuities' and 'breaks', rather than chronologically narrate what happened in the past. Its goal is "to establish and preserve the singularity of events, turning away from the spectacular, in favor of the discredited, the neglected, and a whole range of phenomena which have been denied in a history" (Smart, 1983: 75-76). Thereby at the center of Foucauldian genealogical project, there is an investigation of these 'subjugated knowledge' in such a way that their critical contents are tactically released in local struggles (Foucault, 1980d: 81-85).

Likewise, Foucault's genealogical history seeks to deconstruct what was previously regarded as unified, i.e. history as a chronological pattern of events emanating from a mystified but all-determining point of departure, while also attempting to identify an underlying continuity which is the product of "discontinuous systematicities" (Foucault, 1981: 69). It is a history of tracing 'origins' and, as such, it questions the idea of origins or deeper meanings. It unearths the force relations operating in particular events and historical developments. Foucault, therefore, described his genealogy as an "effective history" (Foucault, 1984: 87-90). Foucauldian genealogy debunks the 'assumption' underlying conventional historiography that there are 'facts' to be interpreted, rather, facts are themselves constructed out of the researcher's "will to truth" (Foucault, 1998: 79). Thus, he considered the genealogist as an 'interpreter' instead of only a 'hermeneutician'.

Foucault, considering genealogy as a method to unpack power/knowledge relations, set forth its objectives to specify how 'power' works, when, and what its effects are in a particular discourse. Hence, this method of genealogy in specific aims at tracing the 'construction' of a discourse, inspired by the idea of a complex intertwining of power and knowledge in the 'social construction' of reality (Berger and Luckmann, 1967: 16), its 'transformation' (Foucault, 1978: 12) and 'practical output'. And his application of 'historicity' is a means of analyzing 'discursive relationships' in any practice and how the discourse defines and dominates its own meaning through 'power' (Kurzweil, 1984: 153). Accordingly, genealogical enquiry reveals that "...power produces knowledge...that power and knowledge directly imply one another" (Foucault, 1977b: 27). Foucault used the composite term 'power/knowledge' to refer to the relation between 'power' and 'knowledge' that genealogy unmasks. For example, a genealogical study shows that the explosion of discussion about sex in the Victorian age was due to a "type of power" that bourgeois society "brought to bear on the body and on sex" (Foucault, 1978: 47). Genealogy, thus, casts doubt on the "repressive hypothesis" (ibid: 10) which makes it also a 'critical enterprise' (Geuss, 2002: 209). In fact, critique is an integral part of genealogy and for Foucault, "a critique is not a matter of saying that things are not right as they are but, it is a matter of pointing out on what kinds of 'assumptions',

what kinds of familiar, unchallenged modes of thought, practices that we accept excluding/ignoring the rest” (Foucault, 1990: 154). Notably, the post-structuralist method of WPR investigates a ‘discourse’ or ‘policy’ completely in the aforementioned ways, following Foucauldian genealogy, to explore the ‘power’ demonstration therein.

Though Michel Foucault is not often read as a leading theorist/scholar of human rights (Golder, 2011: 283), his late engagement with human rights and with rights politics, more generally his works in the 1970s, and especially his genealogies of the ‘subjectivity’, ‘discipline’, and ‘bio-politics’ propose a critique of both ‘rights’ and ‘development’ discourses (Barret-Kriegel, 1992: 193-94). Henceforth, Foucault genealogically problematized not only the language of ‘rights’ (Patton, 2004: 43), but also the “metaphysical assumptions of human rights discourses as well as the usefulness of those rights as political instruments” (Golder, 2011: 284). Applying as political tools, human rights can be used strategically to deconstruct or (re)construct different social and political visions (Brown, 2004: 452). Evans also observed that human rights in many occasions “were nothing less than a reactionary attempt to legitimate a set of ... bourgeois values that did little for the ‘poor’, ‘disadvantaged’ and excluded” (2001: 23) and poverty itself is “created by societies and governments...and poverty leads to the exclusion” (Twining, 2009: 154). Following this, many human rights advocacy strides can be ‘manipulative’ by serving the ‘powerful elites’ and excluding the true right-holders/stakeholders, just like the key arguments I am going to put forward in this paper examining the ‘quota policy’ in Bangladesh.

Hence, taking inference from this observation, and as both the Foucauldian constructions of ‘power/knowledge’ and ‘genealogy’ inform his claims about the ‘power/knowledge’ interrelationships, the present study applies these concepts in its further analysis to critically examine the ‘power/knowledge’ interplay in the pronouncement and practice of quota policy in Bangladesh. Furthermore, the chosen method, WPR is also encouraged with the Foucauldian Genealogical study. However, to proceed this research keeping parity with the contemporary studies on the affirmative actions, the next part targets to demonstrate the current state of research over/around the ‘research problem’, through a thorough literature review.

2.4 AN OVERVIEW OF ‘ABOLITIONIST’ V. ‘REFORMIST’ APPROACHES ON THE AFFIRMATIVE ACTION OF QUOTA POLICY

There are growing numbers of scholars who address the issue of ‘exclusionary dynamics’ in the human rights-based ‘quota system’ or in any affirmative action policies from the perspectives of discriminatory power exercise and elite preference. Groups of scholars like Meghna Sabharwal and Berman, Debolina Kundu, A. Irvine, Akbar Ali Khan and Kazi Rakibuddin have taken a radical stand arguing for the ‘entire abolishment’ of the quota system, by highly problematizing and criticizing it. The latter in contrast, scholars like Donald Kingsley, Norma Riccucci, Ashwini Deshpande and Mahmudul Islam, supported the quota system or affirmative action policy for the ‘disadvantaged’, while also demanding its ‘reform’ considering its potential of being occupied with exclusionary power-play and corruption. Therefore, for the sake of my argumentation, I have

organized the views/opinions of the above-mentioned scholars into two approaches, presenting as the 'abolitionist' and 'reformist', which is going to be explained in detail in the following:

2.4.1 THE 'ABOLITIONIST' APPROACH TOWARDS HUMAN RIGHTS-BASED QUOTA POLICY

Among the abolitionists, Berman *et al.* (2006) strongly advocated for the complete abolishment of human rights based quota system considering it as 'reverse discrimination'. They claimed that special provisions of quota policy, such as for the minority groups or women, have failed to ensure equal representation of the disadvantaged. Instead, it led to further discrimination within the minority groups due to the absence of 'fairness', 'democratic access' and 'accountability'. This claim gets more strength when Kundu pointed out that, in practice, these cause "elite reinforcement"(2011: 24-25; also quoted in Musgrave and Wong, 2016: 92) where elites are able to take benefit or advantage because of their existing advantageous position either socially, economically, culturally or politically. Therefore, the true purpose behind this human rights advocacy tool, i.e. to ensure non-discriminatory participation, gets frustrated. Again, Sabharwal and Berman (2013) sought an ending point to this quota policy arguing that it is being misused in favor of the politics and interested groups, which creates opportunities for the corruption and politicization of the administration. These ultimately impacting negatively the young generations' impression towards the civil service and country's growth and development as a whole (ibid: 455).

Identifying the exclusionary practices within the affirmative policy itself, Irvine (1998) believed that these policies have little impact in overturning discriminatory practices, therefore need to be abolished. He further argued that these policies are taking "advantage of people's natural sympathy for victims of discrimination in order to add layers of unnecessary bureaucracy and to institute an unwelcome ideological agenda" (ibid: 23). Moreover, Khan and Ahmad (2008) put a big question mark on the quota based recruitment system in the Civil Service of Bangladesh. They appealed to end this system urging its duration for a specific time period in order to correct some past wrong doing or inequality and after overcoming those it should be removed. Chowdhury (2000) also considered the quota system as the barrier to merit and administrative efficiency and claimed its removal. He questioned the gender specific standards for the female quota in the public service of Bangladesh and recognized it as a "new form of discrimination within the female beneficiaries" (ibid: 51), in the way of encouraging quota distribution differentiating between the advantaged urban and disadvantaged rural women which will be discussed in detail with appropriate data in chapter three. Sharing alike views of creating new discrimination by this quota system, Zobair (2017: 110) denied its utility in the 'nation building' process and claimed its entire abolishment. Last but not the least, adding to this abolitionist approach, Siddiquee and Faroqui (2010: 460) criticized the quota system as it is leading to the more politicized, discriminatory and merit less recruitment in Bangladesh.

2.4.2 THE 'REFORMIST' APPROACH TOWARDS HUMAN RIGHTS-BASED QUOTA POLICY

Shafritz and Russell (2000) supporting the utility of affirmative action or quota policy in terms of enhancing the employment prospect, considered it as a 'compensatory opportunity' for the disadvantaged suffering from structural discrimination. While claiming this, they also recommended to reform the system, as to the principles of 'necessity' and 'transparency', acknowledging the possibility of 'indirect discrimination' within it (ibid: 429). A number of scholars of this group have demonstrated a 'common' understanding of recognizing the quota system with positive responses on the grounds of helping to 'democratize the bureaucracy', improving access to employment, ensuring participation and empowering the disadvantaged thereby (Kranz, 1976; Krislov, 1991: 242-43; Niskanen, 1994). They also urged 'flexibility' within the system with options of reformation, if necessary, in conformity to the pursuit of fairness, equity and social justice. Keeping alignment with this, Hero and Wolbrecht (2005) argued in favor of the quota system considering it to nurture the notion of 'democratic inclusion'. They opined that "it facilitates the incorporation, influence and representation of various disadvantaged social groups within democratic institutions until it becomes politicized, it needs correction then" (ibid: 4). Kingsley (1944) further claimed quota systems or affirmative action as 'required' considering that, in the employment of democracy competence alone is not enough. Proper 'participation' of every segment of the society is also needed. According to him "the public service must also be representative if the state is to liberate rather than enslave and should uphold this in every situation by correcting the contradictions" (ibid: 185).

On the grounds of diversifying the workplace, ensuring 'inclusivity' in terms of race, ethnicity, gender, and so forth and correcting the past discrimination, Riccucci (2003: 450-451) backed affirmative action, like the special arrangement of quotas, with prior consideration of reforming the system to resist further 'exclusion' instead of 'inclusion'. Also, to ensure representation and increase equal opportunities to women, minorities and other preferred groups, Tummala recognized the existence of quota system with a plea to reform it, periodically, to control unnecessary 'power' abuse (1989: 6-7). Deshpande (2005: 5) accepted the quota system stating it as an employment strategy that will ensure "equity through compensatory and distributive justice". Moreover, Khan (1998) considered the quota system in Bangladesh as strengthening the constitutional pledges of equal opportunities and thereby upholding the values of democracy and providing legitimacy to the governance. Besides, Khan also recognized a vacuum within the promise and practice (ibid: 102) of the very system. Acknowledging both the 'implication' and 'dilemma' of the quota system in Bangladesh, Islam recommended to reform the system through "striking a balance or some sort of reconciliation between constitutional obligation and real life requirement keeping into consideration to the delivery of equitable and quality public service" (2003: 211).

2.5 CONCLUDING REMARKS

The two ideas of Michel Foucault on ‘power/knowledge’ and ‘genealogy’ as substantiated in this chapter, conjointly examine the ‘power’ dominance within the creation and development of a ‘discourse’ or ‘knowledge’. And this knowledge/discourse again aids ‘power’ to sustain and rule, for mutual co-existence, excluding anything repugnant to it. This sense of reciprocity therefore has made the two concepts concretely relevant with the basic aim of this research, regarding the exploration of ‘power’ based ‘exclusionary dynamics’ in the discourse of ‘quota policy’ in Bangladesh.

Moreover, from the aforesaid summary arguments of the two groups of scholars it can be surmised that, the ‘reformist’ group warranted rearrangements of the quota system, while the ‘abolitionist’ group sought the system to be abolished depending on their respective point of views. However, majority of the scholars of the two approaches intersected/agreed into the point of the existence of dominant ‘power’ exercise, politicization, lack of transparency, further discrimination etc. within the quota system itself, irrespective of their contrasting claims either to ‘abolish’ or to ‘reform’ the system. Although ‘reformist’ approach seems more reliable to me, due to their views on reforming the system acknowledging its potential for the advancement of the ‘backward’, instead of considering it completely useless, hereafter I find it is imperative to study the ‘quota system’ in Bangladesh drawing insight from both the expert opinions to add critical reflection in my successive arguments.

CHAPTER THREE

A GENEALOGICAL STUDY OF THE QUOTA SYSTEM IN BANGLADESH: PROMISE AND PRACTICE

3.1 INTRODUCTORY NOTE

This section of the study focuses on the genealogical analysis of the ‘quota system’ in Bangladesh, enumerating the meaning, significance and situation of ‘affirmative action’ or ‘special arrangement of quota’ in human rights discourse/advocacy. In particular, genealogical study of the quota policy builds a historical awareness of the present circumstance of the system, that will make the readers familiar with the “historical conditions which motivate the conceptualization” (Foucault, 1983: 209) of this discourse and also depict the practical depiction of the very system, revealing the exclusionary nature integrated into the existing quota policy in Bangladesh. Thus, this part responds to my first and second research sub-questions, concerning the meaning of the affirmative action or quota arrangement in human rights discourse/advocacy and examining the existence and potential of ‘exclusionary dynamics’ in the ‘quota system’ respectively. It also provides food for thought for the following chapter where the findings of this segment will be evaluated in the light of the conceptual framework of this paper.

3.2 DELINEATION OF ‘AFFIRMATIVE ACTION’ OR ‘QUOTA’ ARRANGEMENT

The prevailing ‘Development’ discourse recommends that ‘elite capture’, i.e. dominance of the privileged, in public sectors in general can be addressed through the principles of ‘good governance’ and ‘participatory democracy’ (Musgrave and Wong, 2016: 87). And democratic concerns relating to ‘liberty’, ‘equality’ and ‘participation’ are at the core of the concept of ‘inclusion’. Therefore, it is not uncommon to hear about ‘preferential treatment’ given to the ‘underprivileged’ people in public employment and other public sectors around the world. In some countries, such policies are known as ‘affirmative action’ such as the United States, Australia, some others as ‘reservations’ for instance in India, while in a few as ‘group preferences’ or ‘quotas’, like in Bangladesh, - whatever may be the expressions, usually signify the same thing (Zafarullah, 2010: 92). In general it can be said that, quota is a mechanism to serve the ‘disadvantaged’ community with some sort of basic needs like education, employment, healthcare facilities and so on. Particularly, quota is a hiring or admission policy requiring that, “a specific number, percentage, amount or share is officially allowed or necessary for minority group members to be hired or admitted” (Cambridge dictionary, 2019: n.p.).

From the legal perspective, “a quota system, in the employment context, is a hiring system that gives preferences to protected group members... these are designed to correct adverse impact, resulting from employment practices that appear neutral but have a discriminatory effect on a protected group” (Azam, 2018: 12). From theoretical perspective, ‘affirmative action’ or ‘quota arrangement’ has been construed as “public or private actions or programs which provide or seek to provide opportunities or other benefits to persons on the basis of, among other things, their membership in a specified group or groups” (Harris, 1994: 761-62). These actions/programs

commonly are designed either “to redress past unlawful discrimination or its present effects” (MacKinnon, 1989: 160) on the sexual, cultural, racial, ethnic or religious minorities or any other socially disadvantaged groups. Therefore, affirmative action introduces itself either in strict ‘quotas’ or in ‘preference’ systems in which some or particular groups are given some preference over others (Lopez, 1996). So both legally and theoretically it can be inferred that, an affirmative action/quota arrangement in human rights discourse/advocacy is a deliberate measure to counter the historical deprivation of certain groups in the society from gaining ‘equal’ opportunities and facilities in public employment or in other sectors, and to remove continuing discrimination and persistent disparity between privileged and underprivileged groups.

3.3 SITUATION OF AFFIRMATIVE ACTION OR QUOTA ARRANGEMENT IN HUMAN RIGHTS DISCOURSE/ADVOCACY IN GENERAL

American jurist John Rawls, while expounding ‘justice’ as a “complex of liberty, equality, and reward for services contributing to the common good” (1958: 166), emphasized ‘logical priority’ for the human individuals who are considered as least-advantaged (especially women, disabled persons, tribal people etc.) in the society to benefit most. This harmonious and ‘equitable’ management of Rawls can be connoted as rule of ‘priority’ or ‘affirmative action’ or ‘positive discrimination’ in the redistribution of opportunities which ensures ‘equality’ in proper sense. As Winant has argued (in Kothari, 2006: 9), the historical and colonial setting of ‘race’ and ‘patriarchy’ have shaped relationships of individuals extending from the micro- level to the macro-level of global processes by forming structural, institutional and discursive inequalities towards women, disabled and ethnic minorities and making them ‘backward’ and ‘disadvantaged’. Following Rawlsian philosophy, there has been a growing tendency to incorporate this ‘logical priority’ or ‘affirmative action’ in human rights discourse/advocacy as one of the forms of a ‘Rights-Based Approach’ (RBA). As according to Nyamu-Musembi and Cornwall (2004: 38): “a rights-based approach deliberately and explicitly focuses on people achieving the minimum conditions for living with dignity by exposing the root cause of vulnerability and marginalization and expanding the range of responses including logical priority”. Moreover, a Rights-Based Approach to Development describes situations not simply in terms of “human needs on developmental requirements, but in terms of society’s obligations, to respond to the inalienable rights of individuals, empower ‘backward’ people to demand justice as a right, not as a charity” (ibid: 37). Furthermore, in 2003 while adopting a common understanding of a Rights-Based Approach, the UN formulated six fundamental principles. Among those are ‘participation’ and ‘non-discrimination’ which also form the core promises of the ‘affirmative actions’ or the special arrangement of many ‘quotas’. In this way, in many jurisdictions, quota arrangements are being aligned with the rights-based approaches, situating and legitimizing their space within human rights discourse or advocacy measures of many countries of the world including Bangladesh.

However, Robert Nozick, assuming the potential tension between the promise and practice of the Rawlsian principle of ‘logical priority’ or ‘quota arrangement’, substantiated his conception of ‘limited Statehood’ considering the State just like a “night watchman” (1974: 26). He contended that,

State has a very minimal/limited role only to protect individual's rights and to punish people violating those rights. Besides, individual rights cannot be violated or taken away or redistributed (ibid) to avoid further discrimination that might arise due to the arbitrary and discriminatory power exercise by the State authorities in the name of 'justice' and 'equity'. Understanding this gap, Patomaki also applied the "optimal equilibrium" concept (2008: 13), which reaffirms getting everything as per share through competitive and rational exercise of equal rights instead of arranging 'special arrangement of quotas'.

3.4 THE GENESIS OF THE QUOTA SYSTEM IN BANGLADESH

As the Foucauldian conception of 'genealogy' entails to study both the historical and present circumstances of a particular 'discourse', the emergence of the 'quota' discourse or the evolution of the 'quota system' in Bangladesh is discussed in the following equally from its perspectives of historical background and present practical application.

3.4.1 QUOTA POLICY IN HISTORICAL CONCEPTUALIZATION

During the colonial era in the Indian sub-continent, the bureaucracy was simply a contrivance of serving the colonial lords. It was evident that, unusual importance was therefore placed on making the bureaucracy an elite force, totally alienated from the society (Alavi, 1973: 345). Access to and representation in the civil services were limited only to the young university graduates coming from the rich upper classes. Hereafter, to make the system more 'just' and 'equitable', arrangement of 'quotas' was first introduced in the erstwhile East Pakistan (present Bangladesh) as a special arrangement of 'regional quota'. People of the then West Pakistan (present Pakistan) enjoyed more places in the government job comparing to those of East Pakistan, as there were linguistic, socio-economic and cultural differences between these two provinces of the former Pakistan (Azam, 2018: 13). Moreover, having the majority, language spoken in West Pakistan (*Urdu*) was considered as the official language in every competitive exams, which caused East Pakistan to suffer most and with the passage of time turned them as 'backward' in public service sectors. Therefore, this redistribution of quotas was promulgated favoring them to guarantee their proportionate equal representation in the Civil Services of Pakistan.

Later on, after getting independence from Pakistan in 1971, East Pakistan evolved as a separate, new nation, named Bangladesh, following her own language (Bangla) and culture. However, although there exists no such disparity in terms of language, culture and other issues in the country any more as it was existed during the Pakistan period, the quota system has been accepted and continued to be embedded in the Civil Services of Bangladesh. With many other legislations of the British-India and Pakistan, the quota provisions were also adopted and the Constitution of Bangladesh justified it under the 'egalitarian' social structure dynamics, with special emphasis on 'equal opportunity' as the guiding principle of public service recruitment (Jahan and Shahan, 2008: 72).

Endorsing to this, just after the liberation, government introduced the Interim Recruitment Policy, 1972 by the Ministry of Cabinet Affairs, subsequently placed before and passed by the Constituent Assembly (CA). It had a strong 'affirmative action' bent and a special arrangement for the least-advantaged groups in the form of a reserved 'quota system'. Despite the inclusion of 'equal opportunity' provisions in our Constitution (GoB, 1994: Article 27-29), outlawing discrimination on the grounds of religion, race, caste, gender or place of origin and the induction of the entire social array of people in government administration might not be guaranteed. Anticipating such a problem, following Rawlsian 'logical priority', the framers of the Constitution empowered the State to promulgate special provisions for the advancement of women, children, disabled or for any 'backward' section of citizens (ibid: Article 28.4). This is pursued through redistributing property or creating employment opportunities for ensuing benefit to them, securing their sufficient representations in the service of the Republic (ibid: Article 29.3), thereby providing legitimacy to the governance.

With reference to this, the present quota policy in Bangladesh consists of four categories, respectively, 'district', 'women', 'tribal' and 'disabled' quotas. These categories are primarily designed and pledged to uplift the socio-economic conditions and to ensure proper representations of the residents of least developed districts, underprivileged women, segregated tribal or indigenous and disabled people in the civil services of Bangladesh. Nevertheless, there were no quota arrangements in the 'tribal' and 'disabled' categories during the integration of this quota policy. Instead, the very policy was started with 'district' quota along with two other categories, particularly, the 'Freedom Fighters' (FFs) quota, commemorating the contribution of the freedom fighters' during the liberation war against Pakistan in 1971, and 'war affected women' quota that was specified for the women injured or sexually abused in the same liberation war. Hence, the 'tribal' and 'disabled' quotas were considered first through the amendments, respectively, in 1985 and 2012 abolishing the category of 'war affected women' quota.

Notably, the categorization of FFs' quota within the special arrangement of 'quotas' and over prevalence of FFs' quota as to its ratio among the entire quota division were always over debated (*bdnews24.com*, 2018: n.p.) and can be argued to be the output of political lobbying/dominance. As the government or party in power during the integration of quota policy, highly steered/pioneered the "nationalist movement" of Bangladesh in 1971 (Huq, 1973: 59) and thereby supported this categorization strongly. Finally, they also succeeded being the majority in power, though this quota was quite 'unique', not so prevalent in other countries having alike quota arrangements, and FFs' are also not that much justified/obvious as 'marginalized'/'backward' section of the society like the women, disabled persons or tribal people.

Consequently, a consolidated movement arose by the substantial part of the community demanding abolition of this privilege and introducing a totally merit based "competitive qualifier" (Uddin and Chowdhury, 2016: 2). The movement was initiated by the Bangladesh General Students' Right Conservation Council on 17 February 2018 which spread into the whole country within 8 April 2018 (*Dhaka Tribune*, 2018a: n.p.). With time, it became more violent including seizure/closure of roads, sporadic attacks, arrests and students were reported to claim that, "Government should maintain, guard equal rights and cannot take away our rights in any possible way" (*Dhaka Tribune*,

2018b: n.p.). They appealed to abolish Freedom Fighters’ quota, determining this more ‘emotional’ as well as ‘political’ than a practical one and a source of ‘corruption’ by those in power/authority (ibid). Finally, Cabinet of the Government of Bangladesh issued notification on October 03, 2018 removing this category from the quota system. Henceforth, this study does not focus on the FFs’ quota while corroborating its subsequent arguments. The following table demonstrates the summary of the division of ‘quotas’ in Bangladesh as discussed in the preceding paragraphs, considering the aforementioned disadvantaged categories, with special reference to its intermittent amendments from the promulgation to till date.

Table 2: Summary of the ‘Quota’ Arrangements in Bangladesh since Introduction (as a Percentage)

Duration	Merit	FFs’	Women	War affect.			District	Total
				Women	Disabled	Tribal		
5 Sep.1972	20	30	0	10	0	0	40	100
8 Apr. 1976	40	30	10	10	0	0	10	100
28 Apr. 1985 - 2007	45	30	10	0	0	5	10	100
12 Jan. 2012- 2018	44	30	10	0	1	5	10	100
3 Oct. 2018- present	74	0	10	0	1	5	10	100

Source: (Musaddequa, 2014: 70-72); BPS website, Establishment Manual and author’s compilation.

However, a deeper dive into the history of the ‘quota’ endorsement and the Constitution drafting in Bangladesh reveals that, though the total number of members elected to the National Assembly and Provincial Assembly was 469, due to the death and disqualification of some (see Appendix II), only 430 took part in the proceedings of the CA where both the Constitution and ‘quota’ provision were approved (Huq, 1973: 60). The Assembly held its first meeting on 10 April 1972 (Nabane, n.d.). On the second day of sitting, a 34-member ‘Constitution Drafting Committee’ (CDC) was formed with Dr. Kamal Hossain, Minister of Law and Parliamentary Affairs, as its chairman together with four other top-ranking ministers. All members (including one woman) of the Committee belonged to the ruling party *Awami League* (AL), excepting Suranjit Sengupta, the lone opposition member from National *Awami Party* (pro-Moscow/NAP) (Huq, 1973: 60). The Committee requested written proposals from any institution or person interested, for the consideration of the Committee during the groundwork of the Draft Constitution along with the integration of special arrangement of quotas. The time frame was specified for sending such proposal was three weeks only, which was criticized as highly inadequate to get proper feed-back (ibid: 61).

Besides, there was a serious debate in the Constituent Assembly regarding the inclusion of freedom fighters' and family of martyrs' in the definition of 'backward' citizen, while approving special arrangement provision for the disadvantaged in the article 28 (4) and 29 (3) (Azam, 2018: 26), though it was unanimously mentioned and strongly supported by the CDC. The confusion still exists today on defining 'backward', therefore a very inclusive one has been adopted by the BPSC. According to this, "backward citizen means and consists backward classes or communities who are declared as 'backward' by the government through gazette notification" (ibid: 25), thus confers sole/absolute 'power' to the government to decide. Moreover, it might cause uncertainties on the effectiveness of the quota arrangement, as there are examples of the 'Development' practices also, like in Southern Africa, where communities themselves along with the government decide who is most in need or vulnerable (Moret, 2014: 4).

The genealogical study of the quota system further finds that, Saadat Hussain, former BPSC Chairman, opined against it by stating: "this system has no Constitutional basis, but still is a national issue [...] quota system had reached a stage wherein complexities associated with it can't be solved with mere human qualities as it opened floodgate to abuse" (Siddikii, 2013: n.p.). Acknowledging the fact in the annual reports of 2009 and 2011, the BPSC itself recommended bringing reforms to the system considering the policy as complicated and difficult to implement. The reports further confirmed that: "because of the complex requirements of quota system, it is almost impossible to select the right candidates who really need this facility with 100% accuracy" (Habib and Chakraborty, 2013: n.p.).

In addition to the BPSC, several 'Expert Commissions' formed by the succeeding governments opposed the quota system (ibid). Especially, Dr. Akbar Ali Khan, one of the members of the Expert Commissions, strongly commented as: "there is no basis for the present quota system in the Constitution, there should be no such quotas permanently for an indefinite period when it fails to fulfil its promise rather causes further discrimination" (*bdnews24.com*, 2018: n.p.). Unfortunately, those went unheard, moreover some periodic amendments have been brought to this 'quota system' (mentioned in table 2) without considering the expert opinions and reports, rather being politically motivated (ibid). These have made the system more complex, discriminatory and debated. In concluding, despite the aforesaid oppositions, criticisms and movements respectively coming from the members of the Constituent Assembly, BPSC Chairman, government's own experts, civil societies, student communities etc., the quota system came into existence and still exists in the Civil Service of Bangladesh (Khan, 1998: 102).

3.4.2 QUOTA POLICY IN PRACTICE

The first part of the genealogical study of the ‘quota system’ has critically portrayed the history of the origination of this discourse in Bangladesh. Now the second part explores the history of the concrete practice of this system in terms of district, women and tribal quotas. And this will help to validate my in-depth analysis on the ‘exclusionary dynamics’ of the quota policy, in the following chapter, based on the tension between its promise and practice.

3.4.2.1 DISTRICT QUOTA IN PRACTICE

The ‘district quota’ is projected as to remove the disparity of representation in the Civil Service among different regions/districts of the country that was existed in the pre-Bangladesh period, and to establish more ‘inclusivity’ thereby. In the current quota policy, district quota comprises 10% of the whole and is to be distributed on the basis of the number of the population of each districts. In practice, because of this requirement of distribution, the motivation of incorporating ‘district quota’ has been backfiring as small districts with less population are being deprived and excluded. For further explanation, due to fewer population sizes some small cities do not get the quota facilities if the recruitment is not a big one. For instance, districts like *Lalmonirhat*, *Sherpur*, *Meherpur* and *Laxmipur* have no district quotas as less populated, despite being disadvantaged and ‘backward’ in comparison to other parts of the country like Dhaka, Chittagong, Comilla, Mymensingh (Siddikii, 2013: n.p.). The later mentioned districts with big population are enjoying more quota facilities, despite being more privileged with educational, technological facilities and so on. Study shows, most of the candidates enjoying ‘district quotas’ get chance in public service examinations from Dhaka and Chittagong districts for having larger population (Ahmed, 2001). It further confirms that most of the BCS officers are from these districts/divisions. The table below depicts a clear depiction of the practical consequences of ‘district quotas’ mentioning five highest and five lowest districts enjoying ‘district quota’ facilities on average:

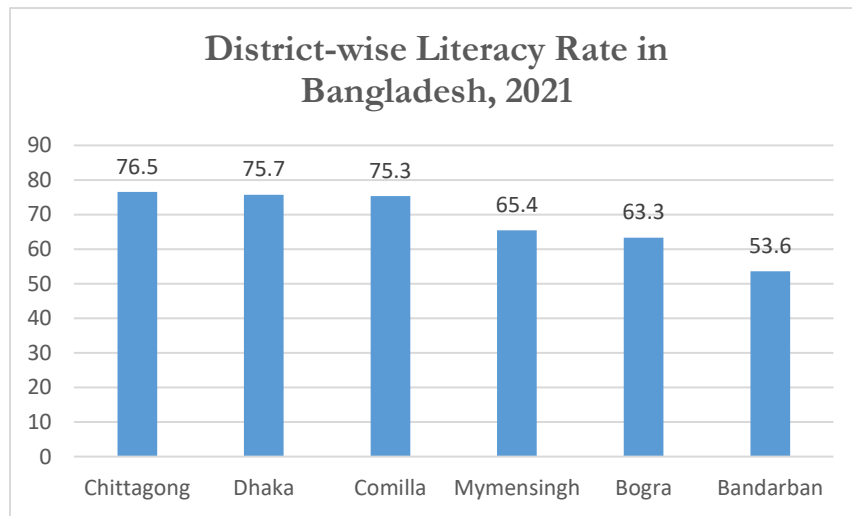
Table 3: Practical Application of District Quota (as a Percentage)

District	Average percentage of enjoying quotas	Chronological Position Amongst All
Dhaka	5.59	1st highest
Chittagong	5.22	2nd highest
Comilla	3.87	3rd highest
Mymensingh	3.65	4th highest
Bogra	2.45	5th highest
Bandarban	0.22	1st lowest
Khagrachari	0.33	2nd lowest
Rangamati	0.38	3rd lowest
Meherpur	0.46	4th lowest
Narail	0.62	5th lowest

Source: (Yasmin, 2010: 27)

The table above reveals that the people from Dhaka district get the highest quota facility, while Bandarban is in the lowest. Ironically, Dhaka being the official capital of Bangladesh, almost all the administrative and economic activities of Bangladesh are Dhaka centered. The same treatment is enjoyed by the Chittagong district, being the commercial capital of Bangladesh. People coming from these districts also enjoy highest facility of education and other government and non-government services, while in terms of geographic location, educational and other facilities Bandarban is just at the opposite. It will be more evident from the following diagram focusing on the ‘literacy rate’ of the said districts.

Figure 1: District-wise Literacy Rate in Bangladesh, 2021 (as a Percentage)



Source: Bangladesh Bureau of Statistics (BBS), 2021: District Statistics (<http://203.112.218.65:8008/PageSiteMap1.aspx?MenuKey=7>).

According to this diagram, Dhaka and Chittagong are already in more advantageous situation with high literacy rate of 75.7% and 76.5% respectively, while Bandarban is comparatively disadvantaged having the least education rate of 53.6%, even in the whole country (Dhar, 2021: n.p.). Even though, Dhaka and Chittagong are far ahead in enjoying ‘district quota’ facilities along with few other districts, having high literacy rate like Bogra, Comilla, Mymensingh, when Bandarban is still lagging behind even in enjoying benefits of ‘district quota’ (table 3).

Moreover, ‘unequal’ distribution of district quota is also seen in the ‘intra-district’ level between the developed and under-developed regions of a single district. In particular, between the affluent and backward citizens of urban and rural areas. Notably, the social goal for quota will not be served if the upper classes living in urban areas of a less developed district are benefited only (Khan and Ahmad, 2008: 14), leaving out the poor living in rural areas of the same unit. This genealogical study finds several instances, represented in the following table, which makes this inconsistency of district quota in Bangladesh more transparent.

Table 4: Uneven Distribution of Seats of District Quota among Urban and Rural Areas

Batches	Total	Urban	Rural
CSP (59-70)	62 (100%)	38 (61%)	24(39%)
EPCS (61-70)	92 (100%)	45 (49%)	47 (51%)
BCS 15th	107 (100%)	64 (60%)	43 (40%)
BCS 17th	62 (100%)	34 (56%)	28 (44%)
BCS 18 th	92 (100%)	56 (60%)	36 (40%)

Source: The Ministry of Establishment (PACC) Database, 2010.

Therefore, it is manifestly clear that ‘district quota’ is causing uneven and inconsistent impacts nurturing ‘exclusionary dynamics’ towards less populated and less advantaged districts (table 3) and fostering the development gap between urban and rural areas more and more (table 4). It seems that for the less developed and populated districts, who are guaranteed to be advanced by this constitutional special arrangement, ‘quota’ is a very insignificant solution.

3.4.2.2 IMPLICATION OF WOMEN QUOTA

Quotas for women have been introduced into the quota policy in 1976, though actually operationalized as a separate category from 1982. Meanwhile, it was practiced within the quota for ‘war affected women’. And when the quota system was first introduced, women quota was limited only to the war injured women. With a subsequent amendment in 1976, it was extended to all women and designated as 10% of the total system (shown in table 2). Regarding the ‘women quota’ the same findings of ‘district quota’ is hold good. Study shows that, the very quota favored women who are from a well-off or qualified parent and have been already in favorable position with better education and economic facilities (Uddin and Chowdhury, 2016: 7-8). Furthermore, a proportionate increase of women in the merit list of the Civil Service examinations in Bangladesh (BCS) have also become noticeable as exposed in the following table:

Table 5: Proportionate Increase of Women in the Merit List of BCS Examinations

Batch	Examinee (Male)	Examinee (Female)	Successful Male (in merit)	Successful Female (in merit)
15 th	16, 594	2,001	7,320	882
16 th	13, 212	5, 452	6,972	1,992
17 th	10,695	1,380	2,870	328
18 th	9,375	1,388	1,781	307
20 th	10,707	1,473	3,018	468

Source: (Uddin and Chowdhury, 2016: 9).

Apparently, unlike district quota, ‘women quota’ gives a positive impression of warranting increased women empowerment and representation. But, the findings of this genealogical study

(table 5) also contradicts the direct progressive consequence of ‘women quota’, as a proportionate increase of women is perceived in the ‘merit list’ where quota facilities are immaterial. In addition, if women continue to perform well in the competitive examinations, the women quota (being a limited option of 10% only) is likely to be an obstacle to the women progress rather to be a special benefit to them, for being disproportionate to their increased and successful participations (Zobair, 2017: 117). This genealogical study also finds that, despite the number of representation being amplified, the ‘women quota’ does not reflect the actual female representation in the society. In fact, they only hold about 12-13% of the government jobs and also fewer in number in the public administrative cadre services (Zafarullah, 2010: 101), whereas women consist of about half of the country’s total population. And this is observed notwithstanding the presence of the ‘National Policy for the Advancement of Women’ (NPAW), which stipulates the need to increase efforts in employing more females in the public sector to ensure the effective implementation of enhanced ‘women quotas’ and to facilitate the continuous flow of women into the job market (GoB, 1998).

Hence, the practical implication of ‘women quota’ becomes also the subject of a more thorough study to see whether this is benefiting the women from ‘affluent’ segments of the society only, excluding the rest. In respond to this it is interesting to note that, when the civil officers are mainly recruited from the ‘graduates’ of the universities, as being eligibility requirement to apply for civil services (refer to Appendix I)³, there is no female quota or no arrangement of reserved seats for the women in any university of Bangladesh. This ultimately gives fewer chances to the women coming from the poor families and rural areas to be eligible for the ‘female quotas’, as they do not usually have enough facilities to get into higher secondary schools, let alone to be graduated from the universities. Similarly, there is no female quota in appointing university teachers, instead both female and male teachers are appointed on merit. Therefore, the justification and affirmative approach of ‘women quota’ for the underprivileged women in the civil service recruitment of Bangladesh, is confusing to many (Wahab, 2008: 10) and the eligibility requirements of accessing this quota increase its ‘exclusionary possibilities’ also.

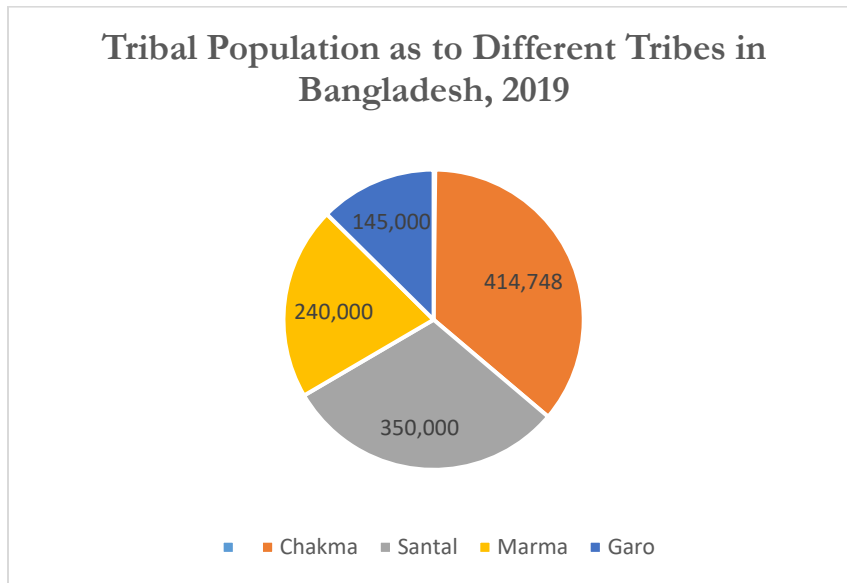
3.4.2.3 TRIBAL QUOTA IN APPLICATION

Considering the tribal or indigenous people as ‘ethnic minority’ groups who are less advantaged and ‘backward’ in terms of resources and facilities, quota arrangement for the tribal people was first introduced by the policy makers in 1985. It comprises 5% of the entire system (table 2). In practice, the 5% quota for the tribal minorities remains largely ‘unfilled’ because of their “physical isolation and lack of educational access” (Zafarullah, 2010: 100). According to the ILO studies, between the 24th and 33rd (2005-2014) BCS recruitment examinations, only 271 (0.66%) of 2,051 available positions were filled under this ‘tribal quota’ category (Berger, 2019: 338). Additionally, Bangladesh being a country of cultural and ethnic diversity, approximately 54 indigenous groups have been living here (ibid: 339). But the very quota is mostly benefitting only one community, i.e. *Chakma*

³ Contains BPSC Form– 1, manifesting ‘graduation/honors’ degree from the universities (highlighted as red) as one of the required educational qualifications of the applicants.

tribe, while representation of other tribes is negligible and sometimes being excluded absolutely (Morshed, 1997: 152). *Chakmas* being in more privileged position in education, possessing more ‘power’ and preference over other tribes, like *Santali*, *Marma*, *Garo*, etc., are getting disproportionate facilities in the civil services comparing to the size of their population (ibid) among the whole tribal population. Notably, the pie chart below demonstrates the total population of several major tribal communities in Bangladesh in terms of their proportions of a whole.

Figure 2: Statistics of Tribal Population as to Different Tribes in Bangladesh, 2019



Source: (Berger, 2019)

Following the chart above, though *Chakmas* are the largest tribal community in Bangladesh in terms of their population, the other tribal communities also contain substantial proportions of the whole. But, while distributing tribal quotas, *Chakmas* get almost ‘entire’ portion excluding ‘other tribes’, despite the ‘others’ being significant in numbers and ‘conjointly’ even quite larger than the *Chakmas*. In this way, the ‘tribal quota’ leads to further discrimination within the ethnic minority groups or tribal communities themselves. Therefore, Berman *et al.* (2006) rightly claimed that, despite making special provisions of ‘quotas’ in public services for the minority groups or women, by the governments around the world, expected outcomes are yet to come rather creates ‘reverse discrimination’. The very term denotes that, although quotas have been arranged to eradicate discrimination, those are actually going into the ‘reverse’ direction i.e., towards more discrimination.

3.5 CONCLUDING REMARKS

The genealogical study of the 'quota system' in Bangladesh conducted in this chapter, can be claimed to have uncovered the 'exclusionary dynamics' within this human rights-based arrangement, to the extent of its 'promulgation' to present 'practice'. It can be inferred from the historical evidences/circumstances of the quota policy incorporation that, the 'process of exclusion' was started with the subjugation of certain oppositions and debates when the proposition of the very system was first put into the table. Then, the 'process' has been continued through the evolution and development of the quota system by suppressing recurrent criticisms coming from the relevant fields. Likewise, the data explained in this section also resembles to the 'exclusionary dynamics' of the 'quota system' within different categories of quotas, based on the applicants' advantageous position and 'power' possession. It can therefore be appealed to reveal the practical scenario of limiting the scope and benefits of this system towards certain group of privileged women, tribal people and developed districts only. Similarly, disclosing the elimination instances of the underprivileged people and regions who/which are in true need of this special facility, in fact for whom this special arrangement of 'quota' is pledged/promised to exist.

CHAPTER FOUR

FOUCAULDIAN NEXUS OF ‘POWER/KNOWLEDGE’ IN THE QUOTA POLICY OF BANGLADESH: PRESENCE AND PREVALENCE

4.1 INTRODUCTORY NOTE

The second and third chapters of this paper, shed light respectively into the discursive relation between ‘power/knowledge’ and the ‘exclusionary dimension’ in the existing quota policy of Bangladesh. With reference to the theoretical conception and findings of these two chapters, the present section attempts to excavate the presence and prevalence of ‘power/knowledge’ association within the ‘selective’ approach of the quota policy in Bangladesh. In so doing, the post-structuralist discourse analysis method, WPR, is applied, as this is primarily based on the Foucauldian genealogical consideration. In this way, the chapter is organized to retort the third research sub-question of this study regarding the relevance of ‘power/knowledge’ concept in the ‘quota policy’ of Bangladesh.

4.2 EXISTENCE AND RELEVANCE OF ‘POWER/KNOWLEDGE’ LINK IN THE QUOTA POLICY OF BANGLADESH

Among the ‘six’ questions of WPR, ‘three’ are followed here to investigate ‘power/knowledge’ relation in the quota policy of Bangladesh, considering those most pertinent to the nature of this research problem. The details are as the following:

4.2.1 THE ‘PROBLEM’ REPRESENTED DURING THE PROMULGATION OF QUOTA POLICY

In response to the first question, ‘what’s the problem represented to be?’, WPR believes in “discerning how the ‘problem’ is represented and subject this problem representation to critical scrutiny” (Bacchi, 2012: 21) and “if policies, arguments, analysis, etc. purport to provide answers only in relation to a set of questions, their very status as answers depend upon the existence of such questions” (Heumann and Mukhtarov, 2022: n.p.). Specifically, WPR accepts the existence of ‘power relation’ in the creation of a ‘knowledge’ or ‘discourse’ through the ‘problem’ that represented there, if it seems to be represented on the basis of certain situations raised only by those in ‘power’ or ‘authority’ to represent. Following this, if we look into the quota policy in Bangladesh it can be seen that, the problem denoted here is the ‘less representation’ of certain sections in public service due to their ‘backwardness’. Remarkably, this concern can be claimed to be raised only by the then ruling party or party in power. As the genealogical study in third chapter finds that, almost all the members of the ‘Constitution Drafting Committee’ were from the ruling party (AL) (Huq, 1973: 60) and there was already a general consensus among them about the fundamentals of the Constitution, difference was only on matters of details (ibid: 61). Besides, the very ‘problem’ was over emphasized without looking into and addressing the root causes responsible for that, such as poverty, over population, patriarchal social structure, religious extremism etc. This eventually caused the ‘quota system’

proclamation as the only solution to challenge this represented national crisis of ‘less representation’ and ‘backwardness’.

Moreover, as problem representation nests to each other, it originates further questions/problems to ask, for instance, what should be the conditions/status to determine the backwardness or who is going to decide someone as ‘backward’? However, these questions were not adequately answered during the incorporation of the quota policy and still haunts today. Furthermore, BPSC has conferred absolute ‘power’ to the government (Azam, 2018: 25) to determine, include or exclude ‘anyone’ or ‘any group’ as ‘backward’ or ‘underprivileged’, as if it were the only solemn way to solve the problem represented, therefore should be only in the hands of the supreme power i.e., government. Henceforth, the first question of WPR seems to find ‘power’ presence in the whole setting of the problem representation and solution seeking, thereby in the ‘knowledge/discourse’ creation through the adoption of the ‘quota policy’ in Bangladesh.

4.2.2 THE ‘PRESUPPOSITIONS’ OR ‘ASSUMPTIONS’ UNDERLIE THIS PROBLEM REPRESENTATION

In terms of the second question, ‘what the presumptions/assumptions underlie this representation of the problem?’, WPR involves mode of problematizing that interrogates the deep-seated assumptions and presuppositions within policies—the “unexamined ways of thinking” that reinforce “accepted practices” (Bacchi and Goodwin, 2016: 38). Therefore, this question focuses on the ‘embedded knowledge’ which might not be true but commonly accepted as authoritative to determine the social truth, consisting who/whom need to change or adhere to the solutions. Hence, the conceptual premises or logics that underpin ‘specific problem representations’ in this quota policy are- **firstly**, special arrangement of ‘quota’ is the only way to mitigate the aforesaid national issues and thereby to establish participatory democracy, without predicting or considering any repercussion/silences inclined with that. Here, the former party in power and the policy makers only followed the ‘Development’ discourse which suggests the principles of ‘good governance’ and ‘participatory democracy’ to address ‘elite capture’ in the public sectors (Musgrave and Wong, 2016: 87). This assumption went ‘unexamined’ and ‘unchallenged’ though there were arguments and debates challenging the presupposition, for instance significant debates and concerns among the CA members on the definition of ‘backward’, strong oppositions on the inclusion, utility as well as allocation of the highest percentage in FFs’ quota etc., as found from the genealogical analysis of the ‘quota system’ in chapter three. Although a general invitation was sought from the government for suggestions and proposals, but that was not enough to evoke public interest both from the context of ‘time’ and ‘content’. The CDC would have done better to issue a specific questionnaire on different aspects of the Constitution including quota arrangement, along with an extended period of time for sending the proposals, instead of referring a general invitation with three weeks’ deadline which was not enough too (Huq, 1973: 61).

Contextually it can be mentioned that, in 1997 the Pay and Service Commission, Bangladesh challenged the usefulness of this ‘quota system’ but it got no response from the government. However, if their ‘note of dissent’ was considered, the ‘quota system’ would have been eliminated

completely by 1997 (Khan and Ahmad, 2008: 7). In fact, to build and establish the ‘quota system’ as the only ‘accepted practice’, those ‘debates’ and ‘dissents’ went unheard. Since, ‘knowledge’ or ‘discourse’ always excludes the debates on fact/fiction, truth/false etc., which Foucault called as “subjugated knowledge” (1980d: 82; Hartman, 2000: 19). Notably, the genealogical study of the ‘quota system’ conducted in the preceding chapter finds the above-mentioned traces of ‘subjugated knowledge’ behind the origin and continuance of this system in Bangladesh. This also expounds the ‘power domination’ and ‘political motivation’ within the very system. It can therefore be appealed that the existent ‘quota system’ in Bangladesh is formed more on power focused and political propositions, less than on logical grounds (Ali, 2004).

Moreover, Foucault most often conferred “normalization as a technique of power exercise” (Rouse, 2005: 101) where power is employed in a valid and standard way. He explored the technologies of ‘power/knowledge’ relations in the domination processes and the arbitrariness of modern institutional discourse in creating ‘truth’ and ‘normality’ (Ball, 1990: 3-5). Endorsing this, constructing quota system as an ‘accepted practice’ of ‘nation building’ through its integration in the Constitution and promulgation as a ‘policy’, ‘naturalizes’ its application over mass population without any objection. Whereas, it is debated that, its exercise is not free from government’s intervention and also evident that more modifications were brought in the quota policy/reservation as per the decision of the government (Rahman *et al.*, 1993: 2). Furthermore, although the cabinet has the exclusive jurisdiction to formulate policies, it largely depends on the civil servants for carrying out ‘nation-building responsibilities’ (Dube, 1963: 2). So, the integration of quota system to develop the civil services as a part of nation building process and conferring special authority to the government to make decisions thereto, also create opportunities to abuse that authority through arbitrary ‘power play’ and ‘homogenization’ (Tilly, 1975: 43).

Regarding the **second** presupposition, the problem representation behind the quota policy in Bangladesh considers women, disabled persons, tribal people etc. as the ‘backwards’ or least-privileged for an indefinite period with flawed distribution criteria, as explained thoroughly in the third chapter of this study. However, women are consistently doing better comparing to the male candidates in the civil service examinations that has also been manifested in the previous chapter with proper data (table 5). And in conformity with the increased participation of women and tribal people, the percentage of quota is not increasing proportionately (Zobair, 2017: 117) which ultimately causes more elimination. In this context, Dr. Akbar Ali Khan, an prominent expert and ex-civil servant of Bangladesh, rightly argued that: “there should be no such quotas permanently or for an indefinite period considering particular section as backward...it rather causes further discrimination”(bdnews24.com, 2018: n.p.). In concluding, this type of labeling for perpetuity without any logical explanation and coherent arrangement thereto, can also be claimed to demonstrate ‘power-play’ to uphold the colonial-patriarchal social construction. Since, such patriarchal construction cannot accept true progress and betterment of women, disabled people, ethnic minorities etc., whom they always consider subservient attributing themselves as the ‘superior identity’. As ‘hierarchical logic’ is always central to the modernity regarding gender, race and sexuality (Lugones, 2010: 742).

4.2.3 THE EFFECTS PRODUCED BY THIS REPRESENTATION OF THE PROBLEM

To unearth the Foucauldian ‘power/knowledge’ nexus in ‘policy’ discourse, taking resort to the third question of ‘what are the effects produced by this problem representation?’, WPR also inspects the effects or practical outcome of a policy in two-fold ways as mentioned below:

4.2.3.1 DISCURSIVE EFFECTS

Discursive effects imply the ‘indirect’/‘informal’ or ‘broader’ impacts of a certain ‘policy’ which are very much present but not that much obvious in nature. These effects can be stated as resulting through the exercise of the ‘normalization’ technique of ‘power’ within a policy. Hence, as regard to the ‘quota policy’ in Bangladesh, representing and ‘labeling’ certain group of people as ‘backward’ or ‘disadvantaged’ for perpetuity homogenizes them into ‘stereotypes’ (Eyben and Moncrieffe, 2006: 3). And arbitrary categorization without proper characterization “can lead to systematic exclusion of large groups of people who may be in an equally precarious situation” (ibid: 2). For instance, as the present quota policy represents women, disabled personnel, tribal people etc. as ‘backward’ sections of the society, one risk is that even they come by their merit competing with other qualified counterparts, they might be stigmatized being considered as less qualified and less efficient (Leslie, Mayer, and Kravitz, 2014: 981).

Remarkably, it can be deduced from the social reality, being politically understood, that the ‘labels’/‘differentiations’ and ‘identities’ are created and shaped by the ‘power relations’, undergoing diverse historical processes. Therefore, apparent inequalities between “classes of individuals are often signs of these ‘power’ operations at work” (Eyben and Moncrieffe, 2006: 2). MacKinnon also argued that: “difference is the velvet glove on the iron fist of domination, the problem then is not that differences are not valued, the problem is they are defined by power” (1989: 219). Moreover, bureaucracies both deliberately and inadvertently support these ‘social hierarchies’ to define social needs, justify interventions, authorities and to formulate and channel solutions to the perceived problems (Eyben and Moncrieffe, 2006: 1) through ‘policy’ formulation, just like the quota policy in Bangladesh. Consequently, WPR considers these repercussions of ‘backward’ representation as the ‘discursive effects’ of the quota policy, which cause segregation and reduction of the concerned groups of people from the majority and start further domination, discrimination, inequality through ‘power’ politics.

4.2.3.2 LIVED EFFECTS

Emphasizing the principles of ‘representation’ and ‘special’ consideration, the predominance of the ‘quota system’ can be experienced in the recruitment strategies in Bangladesh. But in practice, it is accessible and limited only to the specific group of candidates (GoB, 2000: 29), instead of elevating entire ‘backwards’ sections. Therefore, the lived impacts of representing certain groups as ‘backward’ in the quota system, primarily nourishes the ‘selective approach’ by over-facilitating some and neglecting others. This has been demonstrated in the critical evaluation on the distribution disparity of the ‘district’, ‘women’ and ‘tribal quotas’, illuminated in the earlier chapter. And the unequal power possession among the different categories of right-holders categorized in the ‘quota policy’, can be considered as the fundamental cause responsible for the inconsistencies encountered within

the system. For instance, 'district quotas' were introduced to ensure balanced representation among all the districts, but it is contributing to further imbalances by appointing more from districts with larger populations, more educational and technological facilities etc. Thus, it makes the idea of representative bureaucracy absurd generating 'regionalism' and 'factionalism' in the civil service (Siddiquee, 2003: 45), thereby inspires hegemonic 'power influence'. Hence, Yasmin justly argued, "this quota does not necessarily narrow the urban-rural differences, as representation of urban people in civil administration is higher than the rural area" (2010: 26). This can be so, as rural people control and exert less power either economically, socially or politically, comparing to those in urban areas. Besides, a district is not a unit of backward citizens only, rather contains both backward and affluent citizens. Sometimes due to having a more privileged/affluent position, in terms of 'power' and 'authority', a person can extract double benefits of getting education facilities of big cities and also having quota facilities of his/her birth city. On the contrary, the person in downstream of the power-play gets nothing, rather gradually becomes excluded from the battle-field. And these 'lived' or 'direct' consequences of 'district quota' vitiate the ultimate intent to secure adequate representation of 'backward' citizens/regions and encourage 'power interplay' (Khan and Ahmad, 2008: 14).

Again, uneven 'power' exercise within the 'women quota' causes 'two tire exclusionary' impacts. Firstly, exclusion occurs confirming the 'gender' based discrimination between 'men' and 'women', when percentage of women quota is not increasing in proportion to the increased women representation in education and employment. Accordingly, women are being excluded, even proving more competence and success in competitive examinations, through the masculine hegemonic dominance. The second exclusion follows the 'class' based discrimination between 'women' themselves. When a large number of 'urban' educated women indicating their place of birth in rural areas attain double privileges of better tertiary education and facility of the quota system, thus deprive their 'rural' counterparts who are not well equipped with modern education available in the capital and other large cities (Zafarullah, 2000: 203). In summing up, Zafarullah strongly stated that, the administration of quotas by a highly partisan and 'power' influenced bureaucracy has "limited the opportunities for women to enter into the civil services ... failed to eliminate the discriminations of women in general with men, also increasing discriminations between different classes of women- the advantaged urban and disadvantaged rural/semi-urban women" (ibid). And this comment exactly means and validates the 'two tire exclusion' mentioned above, the details of which has already been expanded in chapter three with relevant arguments and data. Therefore, the lived experiences of 'women quota' are seen to make the 'advantaged' more 'advantageous' and lead the 'disadvantaged'/'backwards' towards more 'exclusion'.

Over again, ethnic minorities being one of the worst affected of the existing quota system in Bangladesh, very often their existence as 'backward' is denied by those in power. The dominant cultural and religious orientation of the majority further push them into a marginalized situation (Mohsin, 1997: 98). Besides, they have very 'little power' to exercise due to having less access to education and decision making, therefore in most cases their respective quotas remain unfilled. However, among them the *Chakmas* having more educational and economic 'power', exclude other tribes from enjoying 'tribal quota' facility reiterating the 'class' based exclusion like in 'women quota'.

More surprisingly, the appointment of physically handicapped people in civil services against the quota reserved for 'disabled' people is extremely negligible and is not allowed at all in the judicial services of Bangladesh due to their "absolute lack of power agency" (Azam, 2018: 36). Furthermore, all these 'unfilled' vacancies in quota frequently give a leeway to the 'politicization', 'power play' and 'corruption' in the public administration of Bangladesh. A World Bank study demonstrated that, politicians are indeed influencing the BCS recruitment process (Mukherjee *et al.*, 2001: 14). Politicians or the members of the ruling parties are often found to pressurize or predispose the PSC facilitating their preferred supporters/activists, representing as 'backward', to pass in the civil services taking advantages of this 'quota system' (Zafarullah, 2010: 99), particularly misusing the 'unfilled quotas' in different categories. Therefore, the public service in Bangladesh has been suffering from corruption, discriminatory policies, conflicting relationships and power production among different/hegemonic groups of the politicians and public servants (World Bank, 1996). Remarkably, the 'self-identification/representation' process of the candidates as 'backward/underprivileged', in regard to their respective quota status, during applying for the civil services, might live room for 'corruption' from the applicant's end as well. It can persuade the candidates with strong economic, social or political power/background to mistreat those to gain false identification certificates to meet the eligibility standards for certain categories of quota. Thus, the quota 'identification' and 'selection' processes including the pre-conditions of availing different sets of quotas are highly complex, problematic and non-transparent. Consequently, allegations and instances of dominant 'power exercise' and 'corruption' within the lived effects of 'backward' representation in the 'quota system' of Bangladesh, have been widespread (Khan and Ahmad, 2008).

4.3 CONCLUDING REMARKS

Exploring the embodied 'problem', underlying 'presumptions' and 'discursive' as well as 'material impacts' of the represented problem in quota policy, WPR method seems to unpack the Foucauldian edifice of 'power/knowledge' having strong connection with the 'quota system' in Bangladesh. It discovers that, the representation of the problem, to address which the knowledge/discourse of 'quota' was promulgated, was manifestly advocated by the 'party in power' and the assumptions behind the representation were supported by subjugating the counteracting arguments, defenses and debates. Moreover, motivation of upholding 'hierarchical' supremacy/power is also found in the indirect effects of the problem representation for 'quotas', through the 'labeling' of certain group of people as 'backward' in perpetuity. Likewise, the lived outcomes of promoting the power-privileged while excluding the poor and underprivileged, and keeping wide opportunities of corruption within the 'quota system', are also revealed to contain the traces of hegemonic power interplay. In concluding, the discourse analysis method of WPR can therefore be intensely claimed to figure out the existence and relevance of 'power', as one of the major catalysts, both in the 'construction' of the 'quota discourse' and within the 'exclusionary dimension' of this human rights-based advocacy tool in Bangladesh.

CHAPTER FIVE

CONCLUDING REMARKS: PROSPECTIVE RESOLUTIONS AND CONCLUSION

5.1 INTRODUCTORY NOTE

Despite the presence of unsound requirements in the ‘quota system’ of Bangladesh which are found to exclude more than to include, there is however no denying of the need for some affirmative action supporting the underprivileged segment of the population or any others who deserve separate consideration for extra-ordinary reasons. As such, wholesale elimination/abolishment of ‘reservation’ in the civil service recruitment should not be the intended purpose of an essentially merit driven project. Simultaneously, ‘reservation’/‘quota’ should have a sound rationale also. Therefore, this concluding chapter starts with proposing some probable reformative proposals, following the ‘reformist’ approach as explained in the second chapter, which can add the required reasoning of ‘equality’, ‘equity’ and ‘representativeness’ into the existing quota system. Eventually, at the final concluding note, this chapter gives a synthesis of the research arguments and results with special focus on the ‘research problem’ related to the ‘exclusionary dynamics’ of the human rights-based approach of ‘quota system’ in Bangladesh.

5.2 POSSIBLE WAY FORWARDS

Keeping conformity with the ‘problem’ identified, ‘questions’ posited and the ‘findings’ explored in this study, some promising way outs are presented here with a view to curtailing excessive potential of power abuse and corruption from this human rights-based ‘quota system’ and to making it ‘participatory’ and ‘representative’ in true sense. **Firstly**, ‘exclusionary dynamics’ in the distribution of ‘district quota’ among the developed/underdeveloped, populated/less-populated and urban/rural areas has been made manifested in this paper. To minimize this discrepancy and to create a balanced situation within the ‘inter/intra’ district levels in terms of socio-economic growth and population living, enrichment of educational and economic conditions of the country’s less developed/privileged areas are of ultimate necessity. Hence, taking other affirmative action first for the advancement of the aforesaid conditions of a particular area or class of people can be a good initiative to guarantee the best fruit of the ‘quota system’. **Secondly**, this study also exposed that, the capricious application of the existing quota policy along with its higher eligibility conditions, like requiring ‘graduation’ degree to invoke the facility, give undue advantage to the women coming from well-off families, qualified parents and having opportunity to get university degrees, while excluding those who do not have such blessings and benefits. In this context to make the system effectively participatory, maintaining the educational/eligibility standard, the scope of women quota can be extended to the education levels as well during the admission in schools, colleges and universities. This can facilitate the female students coming from rural areas and poor families to have better access to the university education and thus make them eligible for the quota advantage, ensuring women in general an equal space to compete. **Thirdly**, to minimize the prevalence of the *Chakma*

tribe from getting maximum and disproportionate facilities of the 'tribal quota', as revealed throughout this research, there can be made a 'ceiling' of providing 'quotas' within the quota policy which should not be exceeded for a particular tribe in one course of examination. Moreover, like the 'district quota' resolution mentioned above, other affirmative action of educational, economic progression needs to be undertaken for the advancement of the 'excluded tribes' so that they can also participate with the *Chakma* community in equal foothold.

Fourthly, to challenge and contest the 'exclusionary dynamics', as existing in different categories of quotas in Bangladesh, a paradigm shift in the reasonable classification/categorization discourse can be brought. In particular, this implies a new plan for 'class-based' preference system that might "strongly fulfill the moral, political and legal requirements of equal opportunity and reasonably discriminatory preference system" (Uddin and Chowdhury, 2016: 20). In a class based preference system, the 'economic' status of the intended beneficiaries of the quota reservation would get utmost priority. Since, almost in every societies it is commonly recognized that, improvement prospects are comparatively fewer to a child born poor than a child born into the upper or upper-middle classes (ibid). The natural talent and hard work sometimes get absolutely immaterial in such cases and any development initiatives ignoring this inherent inequality can vitiate the exact sense of 'equality' and 'equity'. Therefore, the U.S. sociologist Christopher Jencks has rightly noted: "we define 'equal opportunity' as a situation in which sons born into different families with different economic status have the same chances of success" (Jencks *et al.*, 1979: 82-83). However, recognizing this concern, class-based preferences can facilitate the constitutional promise to achieve greater 'diversity' and 'participation' within the service of the Republic without applying any problematic category for decision making. When the present quota facilitating categories, based on racial, ethnic identity and birth place, are suffering from legitimacy question and leading towards more discrimination, the 'economic' class based preferences might be comparatively 'just' and 'equitable'. **Finally**, this study further finds that the 'unfilled' reserved quotas in different categories, at times, allure corruption, nepotism or political influence within the public service. To control this leeway of 'power' influence and abuse, a provision of setting free those unfilled quotas to be filled from the candidates coming through 'open merit' competition can be inserted by amending the present quota policy. This might be an effective solution to check and balance this common hub of power game and corruption in the public services of Bangladesh and also to ensure more qualified and merit based, instead of politicized recruitments.

5.3 CONCLUSION

The 'quota system' was promulgated in Bangladesh as one of the human rights-based advocacy practices, and being practiced in the public service sectors for more than 50 years with an aim to establish a 'participatory' and 'representative' governance. Unfortunately, even after passing so many years of integrating this system, the civil service still remains unrepresentative as the very system is argued to nurture 'exclusionary dynamics' deviating from its main rationale that of achieving equality, equity, inclusion and representativeness. Besides, the 'discourse' of 'quota' is very often

criticized to be tinkered with ‘power interaction’ in different levels- social, political, cultural, economic etc., replicating the Foucauldian construction of ‘power/knowledge’. And following the natural consequences of power interplay, ‘quota system’ is being found to move towards more exclusion instead of inclusion, creating more problems than to solve, and causing difficulties to administer by leaving itself open to the political and bureaucratic manipulation, even without much controversy. More clearly, regardless of acknowledging the existence of human demands and rights, the entire ‘quota system’ is being injected by the dominant ‘power’ in such a normalized way that sometimes it cannot be understood even. Thus, goes beyond questions though preserving the relation between power and inequality. Therefore, this paper problematizes and tries to uncover the ‘dominance of power’ within the ‘exclusionary dynamics’ of the ‘quota system’ in Bangladesh focusing on its certain obvious consequences, applying Foucauldian conceptual framework of ‘power/knowledge’, genealogical study along with the discourse analysis method- ‘WPR’.

The cumulative effort of the genealogical study and ‘WPR’ method tries to answer the research questions by bringing out that, the present quota system in Bangladesh promotes ‘exclusive dimension’ entailing ‘power’ prevalence by both subjugating the counter arguments/knowledge during its pronouncement and causing inconsistencies in its practical outcome. In details, the ‘district quota’ allows laxity for the developed and populated areas and affluent group of people at the expense of the less developed ones (Siddiquee, 2003: 39) and shifts from the most backward to the less backward regions (Zafarullah, 2010: 98). Similarly, ‘women quota’ leads to the discrimination between different classes of women, for instance the advantaged urban and disadvantaged rural/semi-urban women during its application. Apart from the powerful *Chakmas*, deprivation/exclusion towards other tribal communities are also found under ‘tribal quota’. In fact, the quota system is going on in reverse direction because of its actual operation, that is in due course planned to promote the worst affected section of citizens, fostering the principles of ‘equity’ and ‘equality’ towards the ‘excluded’ for ages. Moreover, some indirect effects as such representing certain group of people as ‘backward’ permanently, also disintegrate them from the powerful mainstream and thereby influence their additional exclusion. To summarize, after a critical investigation of the evolution history and practical application of the ‘quota system’, the present study reveals the above-mentioned instances of ‘power’ influenced ‘selective approach’ in the very system of Bangladesh, extending from its promulgation to the present practice and conforming to the Foucauldian nexus of ‘power/knowledge’. This can therefore be drew as an informed attempt of this paper in responding the research questions.

However, it is also important here to share my personal experience as a researcher. Initially, having found the aforesaid findings on ‘exclusionary dynamics’, I was motivated to advocate for the ‘abolitionist’ approach demanding complete abolishment of the ‘quota system’. Afterwards, going through the deeper analysis, I found several surprising information such as to the increased women representation in public services (discussed in chapter three), though it might be debated as not to demonstrate overall, rather a partial representation. But, still it cannot be denied that this improved representation is seen, as ‘quota system’ being one of the promoters. It then changed my point of argument favoring the ‘reformist’ approach, with proposing some resolutions, endorsing that however undesirable might be the impacts of the quota policy in Bangladesh, its utility can hardly be

rejected on the ground of democratic desires of social ‘equity’ and ‘inclusion’ in the public service recruitment and selection. If the very system can be dissociated from parochial political contraption, power play and bureaucratic artifice, it might be able to bridge between its promise and practice by removing the broader dimensions of social exclusion. Therefore, arranging special quotas for women in educational institutions, adopting further positive action for developing and balancing the less developed regions and certain group of people, accepting new ‘economic’ class based preferential system, freeing the unfilled quotas to the open competition to control political encroachment and corruption etc., might have potential to encounter the ‘power dominant exclusionary dynamics’ of the present quota system in Bangladesh, making it more rationale and practical.

In concluding, this research paper has tried to elucidate an important ‘practical’ issue within the affirmative action of ‘quota system’ from a very ‘theoretical’ perspective, believing that a ‘practice’ divorced from ‘theory’ and *vice versa* remains incomplete and ineffective. And so, an investigation linking these two can be pivotal to identify the actual problem along with its extent, which can persuade effective solution(s) thereby. This research however endeavors several recommendations also, although it is not the focal consideration of this study. Therefore, I have not concentrated on those with their in-depth ‘feasibility’ analysis. Hence, this paper is a considerable attempt to ‘locate’ the problem of ‘exclusionary dynamics’ along with its ‘degree’ in the ‘quota system’ of Bangladesh. Applying these findings, a detail exploration on the ‘viable’ resolutions to ‘combat’ this issue to make the system more reasonable, acceptable and comprehensible, can be a topic/area to be researched further.

Word Counts	
Actual Word Counts	17489
Total Word Counts	21698

APPENDICES

APPENDIX I: BPS Form - 1

	Government of the People's Republic of Bangladesh Bangladesh Public Service Commission	39th BCS Examination 2018
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	BPS Form - 1 General Cadre
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Applicant's Name	
Father's Name	
Mother's Name	
Date of Birth	
Contact Mobile	
Disability Status	
National ID Number	

Home District		Ethnic Minority Status	
Marital Status		Employment Status	
Gender		Height Weight	

Present Address:	Permanent Address:

Educational Qualifications:						
Examination	Board/Institute /University	Group/Subject/ Degree	Result	Year	Roll	Duration
Secondary						
Higher Secondary						
Graduation/ Honours						

Cadre Choice - General Cadre																				
Choice	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20
Code	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

I declare that the information provided in this form are correct, true and complete to the best of my knowledge and belief. If any information is found false, incorrect, and incomplete or if any ineligibility is detected before or after the examination, any action can be taken against me by the Commission including cancellation of my candidature.

----- Applicant's Signature -----

**APPENDIX II: DETAILS OF THE DEAD AND DISQUALIFIED MEMBERS OF THE
BANGLADESH CONSTITUENT ASSEMBLY, 1972.**

Total elected members: 469
 Members participated : 430
 Members not Present : 39

Details of the Dead and Disqualified Members of the Constituent Assembly, 1972		
Total Numbers	Break-down Numbers	Reasons of Death and Disqualification
39 members	5 members	Had natural death.
	5 members	Were killed by the Pakistan Army.
	23 members	Were disqualified due to losing their seats, being expelled from their party.
	2 members	Were disqualified for paying allegiance to Pakistan.
	4 members	Were disqualified being imprisoned for collaborating with the Pakistan Army during the liberation war, 1971.

Source: (Huq, 1973: 60)

REFERENCES

- Adam, C. and Potvin, L. (2017) 'Understanding Exclusionary Mechanisms at the Individual Level: A Theoretical Proposal', *Health Promotion International*, 32, pp. 778-789. doi: 10.1093/heapro/daw005
- Ahmed, A. (2001) *Administration of Local Self-Government for Rural Areas in Bangladesh*. Dhaka: Local Government Institute.
- Alavi, H. (1973) 'The State in Post-Colonial Societies: Pakistan and Bangladesh', *New Left Review* (74), pp. 344-373.
- Ali, S.A.M.M. (2004) *Bangladesh Civil Service: A Political-Administrative Perspective*. Dhaka: University Press Limited.
- Azam, M.M. (2018) 'Equality of Opportunities and Quota System in the Government Services of Bangladesh: A Rights-based Analysis', *ABC Research Alert*, 6(1), pp. 1-41.
- Bacchi, C. L. (2009) *Analyzing policy: What's the Problem Represented to be?* Frenchs Forest NSW, Australia: Pearson.
- Bacchi, C. L. (2012) 'Introducing the 'What's the Problem Represented to be?' Approach', in Bletsas, A. and Beasley, C. (eds.) *Engaging with Carol Bacchi: Strategic Interventions and Exchanges*. Adelaide: University of Adelaide Press, pp. 21-24.
- Bacchi, C. L. and Goodwin, S. (2016) *Poststructural Policy Analysis: A Guide to Practice*. New York: Palgrave Macmillan.
- Ball, S.J. (1990) 'Introducing Monsieur Foucault', in Ball, S. J. (ed.) *Foucault and Education: Disciplines and Knowledge*. London and New York: Routledge, pp. 1-8.
- Barret-Kriegel, B. (1992) 'Michel Foucault and the Police State', in Armstrong T. J. (ed.) *Michel Foucault: Philosopher*. London: Harvester Wheatsheaf, pp. 192-198.
- bdnews24.com* (2018) 'Akbar Ali wants 'bizarre' quotas in civil servant appointment abolished', 20 January, (n.p.) (online). Available at <https://bdnews24.com/bangladesh/akbar-ali-wants-bizarre-quotas-in-civil-servant-appointment-abolished> (Accessed: 24 August 2022).
- Berger, D. N. (2019) *The Indigenous World*. Copenhagen, Denmark: International Work Group for Indigenous Affairs (IWGIA).
- Berger, P. L. and Luckmann, T. (1967) *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*. Garden City, NY: Anchor Books.
- Berman, E. M., Bowman, J. S., West, J. P., and Wart, M. R. V. (2006) *Human Resource Management in Public Service: Paradoxes, Processes and Problems*. London: Sage Publications, Inc.
- Brown, W. (2004) "'The Most We Can Hope For...': Human Rights and the Politics of Fatalism", *The South Atlantic Quarterly*, 103 (2), pp. 451-463.
- Cambridge Dictionary (2019) *QUOTA Meaning in the Cambridge English Dictionary*. (online) (n.p.) Available at: <https://dictionary.cambridge.org/dictionary/english/quota>. (Accessed: 10 July 2022).

- Cherrington, J. and Breheny, M. (2005) 'Politicizing Dominant Discursive Constructions about Teenage Pregnancy: Re-Locating the Subject as Social', *Health: An Interdisciplinary Journal for the Social Study of Health, Illness and Medicine*, 9(1), pp. 89 - 111. doi: 10.1177/1363459305048100 1363-4593
- Chowdhury, M. (2000) *Understanding Public Administration*. Dhaka: The University Press Ltd.
- Deshpande, A. (2005) *Affirmative Action in India and the United States*. World Development Report 2006 Background Papers. World Bank, pp. 1-23.
- Dhaka Tribune* (2018a) 'Quota reform demonstrations spread countrywide', 09 April, (n.p.) (online). Available at <https://www.dhakatribune.com/bangladesh/nation/2018/04/09/anti-quota-demonstrations-spread-countrywide> (Accessed: 06 July 2022).
- Dhaka Tribune* (2018b) 'From protest to mayhem: How it all unfolded', 10 April, (n.p.) (online). Available at: <https://www.dhakatribune.com/bangladesh/dhaka/2018/04/10/protest-mayhem-unfolded> (Accessed: 06 July 2022).
- Dhar, S. (2021) 'District-wise Literacy Performance', *Daily Sun*, 18 November, (n.p.) (online). Available at: <https://www.daily-sun.com/printversion/details/588596/Districtwise-Literacy-Performance-> (Accessed: 25 October 2022).
- Dube, S.C. (1963) *Expert Working group on Social Prerequisites to Economic Growth*. Kyrenia, Cyprus: UNESCO/SS/SP/19.
- Escobar, A. (1984) 'Discourse and Power in Development: Michel Foucault and The Relevance of His Work to The Third World', *Alternatives*, 10(3), pp. 377-400.
- Evans, T. (2001) *The Politics of Human Rights: A Global Perspective*. London: Pluto Press.
- Eyben, R. and Moncrieffe, J. (2006) *The power of Labelling in Development Practice*. Institute of Development Studies Policy Briefing, 28, pp. 1-4.
- Foucault, M. (1972) *The Archaeology of Knowledge*. London: Tavistock Publications.
- Foucault, M. (1977a) 'Nietzsche, Genealogy, History', in Bouchard, D. F. (ed.) *Language, Counter-Memory, Practice: Selected Essays and Interviews*. Ithaca, New York: Cornell University Press, pp. 139-164.
- Foucault, M. (1977b) *Discipline and Punish: The Birth of the Prison*. London: Allen Lane.
- Foucault, M. (1978) *The History of Sexuality (Vol- 1): An Introduction*. Translated from the French by Hurley, R. New York: Pantheon Books.
- Foucault, M. (1980) *Power/knowledge: Selected interviews and other writings, 1972-1977*. New York: Pantheon Books.
- Foucault, M. (1980a) 'Truth and Power', in Gordon, C. (ed.) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*. New York: Pantheon Books, pp. 109-133.
- Foucault, M. (1980b) 'Body/Power', in Gordon, C. (ed.) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*. New York: Pantheon Books, pp. 55-62.
- Foucault, M. (1980c) 'Prison Talk', in Gordon, C. (ed.) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*. New York: Pantheon Books, pp. 37-54.

- Foucault, M. (1980d) 'Two Lectures', in Gordon, C. (ed.) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*. New York: Pantheon Books, pp. 78-108.
- Foucault, M. (1981) 'The Order of Discourse', in Young, R. (ed.) *Untying the Text: A Post-Structuralist Reader*. Boston, London and Henley: Routledge & Kegan Paul, pp. 48-78.
- Foucault, M. (1983) 'The Subject and Power', in Dreyfus, L. H. and Rabinow, P. (eds.) *Michel Foucault: Beyond Structuralism and Hermeneutics*. Chicago, IL: University of Chicago Press, pp. 208-226.
- Foucault, M. (1984) 'Nietzsche, Genealogy, History', in Rabinow, P. (ed.) *The Foucault Reader*. New York: Pantheon Books, pp. 76-100.
- Foucault, M. (1990) 'Practicing Criticism', in Kritzman, L. D. (ed.) *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*. New York and London: Routledge, pp. 152-156.
- Foucault, M. (1998) *The History of Sexuality (Vol- 1): The Will to Knowledge*. Translated from the French by Hurley, R. London: Penguin.
- Geuss, R. (2002) 'Genealogy as Critique', *European Journal of Philosophy*, 10 (2), pp. 209-215. Available at <https://doi.org/10.1111/1468-0378.00157> (Accessed: 24 August 2022).
- GoB (1994) *The Constitution of the People's Republic of Bangladesh*. Dhaka: Government Press.
- GoB (1998) *The National Policy for the Advancement of Women*. Dhaka: Ministry of Women and Children's Affairs.
- GoB (2000) *Public Administration for 21st Century*. Dhaka: Public Administration Reforms Commission (PARC) Report, 1.
- Golder, B. (2011) 'Foucault's Critical (Yet Ambivalent) Affirmation: Three Figures of Rights', *Social & Legal Studies*, 20(3), pp. 283-312.
- Goodwin, S. (2011) 'Analyzing Policy as Discourse: Methodological Advances in Policy Analysis', in Markauskite, L., Freebody, P., Irwin, J. (eds.) *Methodological Choice and Design: Scholarship, Policy, Practice in Social and Educational Research*. 9th edition, Dordrecht: Springer, pp. 167-180.
- Habib, W. B. and Chakraborty, P. (2013) 'Govt. sits on PSC recommendation', *The Daily Star*, 13 July, (n.p.) (online). Available at <https://www.thedailystar.net/news/govt-sits-on-psc-recommendation> (Accessed: 25 August 2022).
- Harris, A. P. (1994) 'Foreword: The Jurisprudence of Reconstruction', *California Law Review*, 82(4), pp. 741-785.
- Hartman, A. (2000) 'In Search of Subjugated Knowledge', *Journal of Feminist Family Therapy*, 11(4), pp.19-23.
- Hero, R.E. and Wolbrecht, C. (2005) 'Introduction', in Wolbrecht, C., Hero, R.E. and Arnold, P.E. (eds.) *The Politics of Democratic Inclusion*. Philadelphia: Temple University Press, pp. 1-14.
- Hertogh, M. (2004) 'A 'European' Conception of Legal Consciousness: Rediscovering Eugen Ehrlich', *Journal of Law and Society*, 31(4), pp. 457 - 481.

- Heumann, S. and Mukhtarov, F. (2022) 'What is the Problem Represented to be? Post-structuralist's Guide to Policy Analysis' [PowerPoint Presentation]. *3210: Discourse Analysis*. ISS-EUR. (n.p.), Available at: <https://canvas.eur.nl/courses/37369/files/folder/Lecture%20notes?preview=58206116> (Accessed: 13 September 2022).
- Human Rights Watch (2021) *World Report 2021: Rights Trends in Bangladesh*. (n.p.) (online). Available at: <https://www.hrw.org/world-report/2021/country-chapters/bangladesh> (Accessed: 18 June 2022).
- Huq, A. F. (1973) 'Constitution-Making in Bangladesh', *Pacific Affairs*, 46 (1), pp. 59-76.
- Irvine, A. (1998) 'Towards Equality of Opportunity', *University Affairs*, 39, pp. 23-24. Available at <http://safs.ca/meritdiversity/equality.html> (Accessed: 24 August 2022).
- Islam, M. (2003) *Constitutional Law of Bangladesh*. Dhaka: Mullick Brothers Publication.
- Jahan, F. and Shahan, A.M. (2008) 'The Vicious Cycle of Administrative Politicization in Bangladesh', *Journal of Bangladesh Studies*, 10(2), pp. 69-83.
- Jansen, I. (2008) 'Discourse Analysis and Foucault's "Archaeology of knowledge"', *International Journal of Caring Sciences*, 1(3), pp. 107-111.
- Jencks C., Bartlett, S., Corcoran, M., Crouse, J., Eaglesfield, D., Jackson, G., McClelland, K., Mueser, P., Olneck, M., Schwartz, J., Ward, S. and Williams, J. (1979) *Who Gets Ahead? The Determinants of Economic Success in America*. New York: Basic Books, Inc., Publishers.
- Khan, A. A. and Ahmad, K. R. (2008) 'Quota System for Civil Service Recruitment in Bangladesh: An Exploratory Analysis'. Dhaka: Bangladesh Public Service Commission. An Unpublished Policy Paper.
- Khan, M.M. (1998) *Administrative Reforms in Bangladesh*. Dhaka: The University Press Limited.
- Kingsley, J. D. (1944) *Representative Bureaucracy: An Interpretation of the British Civil Service*. Antioch Press.
- Kothari, U. (2006) 'An Agenda for Thinking about 'Race' in Development', *Progress in Development Studies*, 6 (1), pp. 9-23.
- Kranz, H. (1976) *The Participatory Bureaucracy: Women and Minorities in a More Representative Public Service*. Lexington, Mass.: Lexington Books, D.C. Heath.
- Krislov, S. (1991) 'The Negro and the Federal Civil Service in an Era of Change', in Thompson, F. J. (ed.) *Classics of Public Personnel Policy*. Brooks/Cole Publications, pp. 236-51.
- Kundu, D. (2011) 'Elite Capture in Participatory Urban Governance', *Economic and Political Weekly*, 46(10), pp. 23-25.
- Kurzweil, E. (1984) 'The Neo-structuralism of Michel Foucault', in Wuthnow, R., Hunter, J. D., Bergesen, A. and Kurzweil, E. (eds.) *Cultural Analysis*. London and New York: Routledge & Kegan Paul, pp.133-178.
- Leslie, L. M., Mayer, D. M., and Kravitz, D. A. (2014) 'The Stigma of Affirmative Action: A Stereotyping-based Theory and Meta-analytic Test of the Consequences for Performance', *Academy of Management Journal*, 57 (4), pp. 964-989.

- Lopez, I. F. H. (1996) *White by Law: The Legal Construction of Race*. New York University Press.
- Lugones, M. (2010) 'Toward a Decolonial Feminism', *Hypatia*, 25(4), pp. 742-759. Available at: <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1527-2001.2010.01137.x> (Accessed: 09 September 2022).
- MacKinnon, C. A. (1989) *Toward a Feminist Theory of the State*. Harvard University Press.
- Manokha, I. (2009) 'Foucault's Concept of Power and The Global Discourse of Human Rights', *Global Society*, 23(4), pp.429-452.
- Marks, S.P. (2005) 'The Human Rights Framework for Development: Seven Approaches', in Sengupta, A., Negi, A. and Basu, M. (eds.) *Reflections on the Right to Development*. New Delhi: Sage Publications, pp. 23 - 60.
- Mills, S (2003a) 'Power/knowledge', in *Michel Foucault*. London and New York: Routledge, pp. 67-79.
- Mills, S. (2003b), 'Discourse', in *Michel Foucault*. London and New York: Routledge, pp. 53-66.
- Mohsin, A. (1997) 'Democracy and the Marginalization of Minorities: The Bangladesh case', *Journal of Social Studies*, 78, pp. 92-103.
- Moret, W. (2014) *Vulnerability Assessment Methodologies: A Review of the Literature*. Washington, DC: FHI, 360.
- Morshed, M.M.R. (1997) *Bureaucratic Response to Administrative Decentralization: A study of Bangladesh Civil Service*. Dhaka: University Press Limited.
- Mukherjee, R., Gokcekus, O., Manning, N. and Landell-Mills, P. (2001) *Bangladesh: The Experience and Perceptions of Public Officials*. World Bank Technical Paper 507. Washington DC: World Bank, pp. 1-56. Available at: <https://openknowledge.worldbank.org/handle/10986/13861> (Accessed: 09 September 2022).
- Musaddequa, S. (2014) 'Quota System in Bangladesh Civil Service: How Much Justified?' *Law Vision*, 12, pp. 68-82.
- Musgrave, M.K. and Wong, S. (2016) 'Towards a More Nuanced Theory of Elite Capture in Development Projects. The Importance of Context and Theories of Power', *Journal of Sustainable Development*, 9(3), pp. 87-103.
- Nabane, T.I. (n.d.) '1972: Constitution of Bangladesh', *www.academia.edu*. (online) Available at: https://www.academia.edu/34219699/1972_Constitution_of_Bangladesh (Accessed: 12 August 2022).
- Niskanen, W.A. (1994) *Bureaucracy and Public Economics*. Edward Elgar Publishing.
- Nozick, R. (1974) *Anarchy, State, and Utopia*. New York: Basic Books.
- Nyamu-Musembi, C. and Cornwall, A. (2004) *What is the "Rights-based Approach" All About?: Perspectives from International Development Agencies*. IDS Working Paper 234. Brighton, UK: Institute of Development Studies. Available at: <https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/4073/Wp234.pdf?sequence=1> (Accessed: 23 August 2022).

- Olsson, M.R. (2010) 'Michel Foucault: Discourse, Power/Knowledge, and The Battle for Truth', *Leckie, Gloria Journal*, pp.63-74.
- Patomaki, H. (2008) 'Global Justice: A Democratic Perspective', *Globalization and the Global Politics of Justice*, pp.10-21.
- Patton, P. (2004) 'Power and Right in Nietzsche and Foucault', *International Studies in Philosophy*, 36, pp. 43-61.
- Popay J. (2010) 'Understanding and Tackling Social Exclusion', *Journal of Research in Nursing*, 15 (4), pp. 295-297. doi:10.1177/1744987110370529
- Preece, J. (1997) 'Historicity and Power-Knowledge Games in Continuing Education', *Studies in the Education of Adults*, 29(2), pp.121-136.
- Rahman, M. A., Rahman, M. H., Ali, A.M.M.S. and Siddiqi, K. (1993) *Towards Better Government in Bangladesh*. Dhaka: University Press Limited.
- Rawls, J. (1958) 'Justice as Fairness', *The Philosophical Review*, 67 (2), pp.164-194.
- Riccucci, N. M. (2003) 'Equal Employment Opportunity and Affirmative Action', in Rabin, J. (ed.) *Encyclopedia of Public Administration and Public Policy*. New York: Marcel Dekker, pp. 449-453.
- Ritzer, G. and Goodman, D.J. (2007) *Teori Sosiologi Modern*. Jakarta: Kencana.
- Rouse, J. (2005) 'Power/Knowledge', in Gutting, G. (ed.) *The Cambridge Companion to Foucault*. Cambridge University Press, pp. 95-122.
- Sabharwal, M. and Berman, E. M. (2013) *Public Administration in South Asia (India, Bangladesh and Pakistan)*. United States: CRC Press.
- Said, E. W. (2003) 'Introduction', in *Orientalism*. Penguin Books, pp. 1-28.
- Sawicki, J. (1991) 'Foucault and Feminism: Towards a Politics of Difference', in *Disciplining Foucault, Feminism, Power and the Body*. New York and London: Routledge, pp. 17-32.
- Shafritz, J. M., and Russell, E.W. (2000) *Introducing public administration*. New York: Longman.
- Siddikii, F. (2013) 'Quota and exam systems need amendment', *bdnews24.com*, 27 July (n.p.) (online). Available at <https://bdnews24.com/bangladesh/2013/07/27/quota-and-exam-systems-need-amendment> (Accessed: 24 August 2022).
- Siddiquee, N.A. (2003) 'Human Resource Management in Bangladesh Civil Service: Constraints and Contradictions', *International Journal of Public Administration*, 26 (1), pp. 35-60.
- Siddiquee and Faroqui (2010) 'Equal Employment Opportunity in the Public Service: Theory and Practice in Bangladesh', *International Journal of Public Administration*, 33, pp. 451-462. DOI: 10.1080/01900692.2010.483348.
- Smart, B. (1983) *Foucault, Marxism and Critique*. London: Routledge.
- Tilly, C. (1975) 'Reflections on the History of European State-making', in Tilly, C. (ed.) *The Formation of National States in Western Europe*. Princeton: Princeton University Press, pp. 3-83.
- Tummala, K.K. (1989) *Equity in Public Employment across Nations*. University Press of America.
- Twining, W. (ed.) (2009) *Human Rights: Southern Voices*. Cambridge: Cambridge University Press.

- Uddin M. and Chowdhury J. (2016) 'Quota Reservations in Civil Service: Arguments for a Class Based Preference System', *Chittagong University Journal of Law*, 21, pp. 1-22.
- Veneklasen, L. and Miller, V. (2006) 'Dynamics of Power, Inclusion, and Exclusion', *Nonprofit Online News Journal*, pp. 38-56.
- Wahab, M. A. (2008) 'Women in Bangladesh Civil Service', *Ebong Authopor*, pp. 10-14.
- World Bank (1996) *Bangladesh — Government that Works: Reforming the Public Sector*. Dhaka: Private Sector Development Finance Division Report No. 15182 BD. Available at <http://documents.worldbank.org/curated/en/556251468741620360/Bangladesh-Government-that-works-reforming-the-public-sector> (Accessed: 07 September 2022).
- Yasmin, N. (2010) *Quota System in Bangladesh Civil Service: An appraisal*. M.A. Dissertation. Institute of Governance Studies, BRAC University.
- Zafarullah, H. (2000) 'Through the Brick Wall, and the Glass Ceiling: Women in the Civil Service in Bangladesh', *Gender, Work and Organization*, 7 (3), pp. 197-209.
- Zafarullah, H. (2010) 'Policy and Politics of Preference: The Quota System in the Bangladesh Civil Service', in Vartola, J., Lumij, I., Asaduzzaman, M. (eds.) *Towards Good Governance in South-Asia*. Finland: University of Tampere Publications, pp. 91-112.
- Zobair, M. A. A. (2017) 'Quota System and Bangladesh Civil Service: In Nation Building Perspective', *Public Affairs and Governance*, 5(1), pp. 110-127. doi: 10.5958/2321-2136.2017.00008.X