

# Bangladesh, Democracy and Good Governance

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## Abstract

Democracy is the most desirable form of governance. Democratic governance has a long history in many developed countries of the world. But democratic governance in developing countries needs vigilant security. This article by utilizing good governance framework analyzes various problems afflicting institutionalization of democratic governance in Bangladesh as the country's experiment with parliamentary democracy during the last two decades has raised many questions. It appears that the only justification for the continuation of the present governance system is that representative of the people is at the helm of the state affairs. The malice of the present governance system is there for all to see. Parliament in the true sense of the term is barely functional and bureaucracy is highly politicized. In this fold, it has serious implications for the moral and efficiency of the public servants as well for the level, frequency and quality of service delivery. Though judiciary has given some judgements to protect human rights, controversy still persists as to whether its judgements are influenced by political considerations or not. Though press freedom exists with some limitations, there is still a growing concern as to whether print and electronic media serve national interest or pursue narrow self-interest of their rich owners.

## 1.0 Introduction

Globally, democracy is in crisis. An array of countries, from newly democratized nations to consolidated democracies, are experiencing severe backsliding. Described by Nancy Bermeo as "the state-led debilitation or elimination of the political institutions sustaining an existing democracy", the phenomenon has gripped the entire world. Starting as an aberration to

the "Third Wave of Democracy" in the early 2000s, the phenomenon has become the defining feature of our time. Both empirical data provided by various organizations and analytical studies conducted by scholars have amply demonstrated the past 16 years have been difficult for democracy.

## 2.0 Democracy and Good Governance

There is no intrinsic relation between democracy a long-standing governance concept and good governance. Democracy which etymologically means the rule of people is as varied in application as can be thought of. A study finds that democracy, in theory and in application, takes as many as 2,200 adjectives, adequately suggesting

the shades and hues that democracy can put on.

When the origin of democracy and the core meaning of the concept still retain some attachment of 'direct democracy'- the direct participation of people in decision-making that is- democracy in practice, has

often been devoid of its lofty ideals and has been reduced to a loosely-defined system that might even accommodate the rule of law, on the one hand, and authoritarianism, on the other. In practice, democracy has been as widely exploited as any other forms of governance can be.

In today's world, when democracy holds an absolute sway as the most dominant political philosophy and the predominant form of governance, democracy is distanced and derailed from what the political concept used to signify. When demos, the people, are reduced to occasional voters, with effectively no right to intervene in decision-making, even when the representatives that people elect in a 'representative democracy' like ours do not deliver on their promises and go on to take and implement starkly anti-people mandate, does democracy cease to exist?

The concept of representative democracy, liberal democracy or a republic that stipulates that people will elect their representatives, who, when elected, would act on behalf of, and for the betterment of, people and that the representatives will work within the checks and balances provided by the constitution and the law appears to have been a futile concept too. With a glaring violation of people's rights by the very representatives that people elect and the helplessness of people in the face of such violation tell a sad story the world over.

When the idea and ideals of democracy advocate a form of government that is mandated by people without fear or coercion, the forms of democracy that are in practice in different parts of the world, including Bangladesh, have been undemocratic in view of the very foundation. People are offered candidates and parties to vote for in elections that denounce choices a priori, with the formation of political parties and the

selection of candidates that people have nothing to say about. Even wonderfully functioning democracies in the world are largely a two-party political system, where demos can, at best, choose the parties and individuals to be ruled, not represented, by.

In a constitutional democracy, it is expected and believed that there will be constitutional and legal limits and checks to make the governing bodies and public agencies accountable and transparent.

It is intended that the constitution and the law would define and guide the way to peace and prosperity and that the constitution would ensure everyone's right to social dignity, justice and equality. While all this have always been there as the cornerstone of governance, what comes to worry us is that legal and constitutional bindings are often dodged by both the elected representatives and the bureaucrats to promote business and personal interests.

It, therefore, comes with little surprise that a growing number of policies do not now represent the interests of people. They rather negatively impact the well-being of people. Most policies now represent the interests of businesses, which have found their way to the government. The growing dominance of the business elite in Bangladesh's politics and the influence of the business bodies on state organs and policy-making have severely weakened the democratic institutions and practices over the years. According to a Transparency International Bangladesh study, businessmen accounted for about 17.5 per cent of the members of parliament in the first parliament in 1973–1975, and the figure has increased to a whopping 62 per cent in the 11th parliament.

Business interests, as a result, appear to have come to be the de facto driving force in politics, society and the government, suggesting a dangerous takeover of politics

by the business elite turning democracy to what social scientists term as 'corporate state'. What is further worrying is that the country has experienced a precarious waning of the political space. With democracy having been reduced to elections, that too highly manipulated elections as is evident in the past two general elections and a number of elections to the local government, and with demos turned to be occasional voters, the country is faced with a political void where demos are as distanced from policy-making as can be. Also worrying is the growing pattern of criminalization of dissenting voices in an attempt apparently to silence any opposition to the government and government policies, while such opposition is deemed to be highly essential in a functioning democracy. Such criminalization of dissent, a distancing of demos from political processes, coupled with a deep-seated carelessness and an increasing political demobilization of the citizenry, appear to have helped the business elite to come to a political form

### **3.0 Bangladesh Required of Democracy**

It is, therefore, urgent that we begin to face the stark reality and address the monumental challenges we face. However, there is no magic formula or quick fix to our problems. We must begin with a political settlement, involving our major political parties and other stakeholders and chalk out a set of all-encompassing reforms aimed at removing the deep disorder and setting a new direction for the nation. The aim of

#### **3.1 Changes to the Political Culture:**

To fulfil Bangladesh's founding vision of a democratic, secular and just society, we must move away from the dead-end politics of hate and annihilation and usher in a

#### **3.2 Electoral Reforms:**

Free, fair and credible elections are needed to create a government representing the will of the people. We must frame a law, in

and, eventually, to control, Reconstitute and monopolies the center of power, leading to a surge in corruption and anti-people and business-friendly policies.

A system where the interests of the capital rules over the interests of people, democracy is at best a trick to make people believe that they hold some power and is a way to earn political legitimacy for a political class that exchanges its robe almost indistinguishably with the business elite.

Although redundant, it is absolutely necessary to point out repeatedly that democracy does not work and ceases to be whenever it goes against the wish of the people and whenever it distances people from making and implementing policies. When people's well-being and human rights are reduced to a neglected footnote, when people's voting power is highly compromised and when policies hardly represent people's concerns, democracy ceases to be.

such reforms will be, in the language of our revolutionary youth, to "repair the state." The reform agenda must represent a grand compromise and the basis of a "National Charter," in the vein of the "framework of the three alliance (tin jotter ruprekha of 1991)." To move democracy forward, it should be signed by all stakeholders. The areas of possible consensus to be included in the National Charter are:

political culture of inclusiveness, respect, and consensus. Public service rather than self or coterie interests must become the goal of politics.

accordance with the constitutional mandate and appoint an Election Commission with competent and neutral individuals. The

electoral laws must also be reformed and most importantly, enforced to ensure credible elections.

### **3.3 Election-Time Government:**

Without a neutral government, which controls the bureaucracy and the law-enforcement agency, during elections, fair elections are not possible. Hence, a short-

term election-time government, with representatives of political parties and other sectors of the society, must be formed to ensure credible elections.

### **3.4 Effective Jatiya Sangsad:**

The parliament must become independent and effective to make the system of checks and balances work and ensure the transparency and accountability of the executive branch. The parliament members must focus on law-making and not be involved in local development, which is a

violation of the Constitution, as per the High Court verdict of Anwar Hossain Manju vs Bangladesh. A Code of Conduct must also be framed for MPs to prevent conflict of interest along with a Privilege Act, as mandated by Article 78 of the Constitution.

### **3.5 Independent Judiciary:**

The independence of the judiciary must be ensured by separating it from the administration and facilitating the establishment of the rule of law by

appointing qualified persons as judges. An appropriate law must be framed for this purpose, as per the Constitution.

### **3.6 Constitutional Reform:**

An expert committee must be formed to recommend constitutional amendments. Potential areas of reforms among others include: ending the "imperial" premiership, reserving one-third seats of the parliament

for women and electing them directly, proportional representation, reforming Article 70, and bringing back the referendum provision.

### **3.7 Democratic and Transparent Political Parties:**

Political parties must be reformed to ensure their internal democracy, transparency in their nomination process and financing, and to abolish their associated and affiliated bodies and foreign branches, as per the Representation of the People Order, 1972.

This will put an end to student-teacher-worker politics. Political parties must also renounce extremism, communalism, identity-based politics, and use of religion in politics.

### **3.8 Independent statutory bodies:**

We must amend the laws and appoint qualified and non-partisan individuals to the statutory bodies—namely, the Anti-Corruption Commission, the Human Rights

Commission and the Information Commission—to ensure their independence and effectiveness.

### **3.9 All-Out Campaign Against Corruption:**

A special tribunal must be set up to bring the corrupt to justice and give them exemplary punishment and repatriate their illegally earned money which they smuggled abroad. An ombudsman must

also be appointed, especially to identify and punish corrupt individuals holding public offices.

### **3.10 Administrative Reforms:**

A civil service act must be framed and the Police Act modernized to ensure the neutrality and professionalism of the bureaucracy and the members of the law enforcement agencies and their

politicization. Corruption in their appointments and transfers must also end and the Public Service Commission must be made an independent and effective body.

### **3.11 Decentralization and Local Government:**

Local government bodies must be made autonomous and independent by decentralizing and devolving functions, functionaries and resources. We must also

allocate 50 percent of the ADP to such bodies and "localize" the Sustainable Development Goals through them.

### **3.12 Freedom of the Media:**

We must ensure the independence of the media through legal reforms, including the amendment of the Digital Securities Act. We must also constitute a Broadcast

Commission to ensure objective reporting of publicly-owned media.

### **3.13 Strong Civil Society:**

A strong civil society must be allowed to flourish as watchdog to make democracy effective and achieve good governance.

Therefore, we must provide space and create an enabling environment for effective functioning of civil society.

### **3.14 Protection of Human Rights:**

We must safeguard freedom of expression and other fundamental and statutory rights by amending repressive laws. We must also end involuntary disappearance, abductions

and extrajudicial killings and give exemplary punishment to perpetrators of such crimes.

### **3.15 A New Social Contract:**

We must formulate a new "social contract" to address growing inequality of income and opportunity in our state and give a fair share of the state resources to the disadvantaged. The people must also be

given quality services at affordable prices in an accountable manner. All discrimination to the handicapped and third-gender must end.

### **3.16 Protecting the Environment:**

We must ensure environmental sustainability and formulate long-term plans to cope with the effects of climate change. We must also reassess our

development projects and abandon those that risk serious environmental damage.

**3.17 Good Governance in the Financial Sector:**

We must institute legal reforms to ensure discipline in the financial sector and prevent looting and plundering of financial

institutions. Willful defaulters and plunderers of those institutions must be given exemplary punishment.

**3.18 Ending Communalism:**

We must mobilize all the good forces of the society to take effective initiatives to eradicate bigotry and communalism. The

government must also punish those indulging in communal crimes.

**3.19 Investment in the Youth:**

We must ensure quality education, healthcare, security and opportunities for the youth to reap the benefit of our

demographic dividend. Youth must also be groomed for future leadership.

**3.20 Women's Empowerment:**

We must take effective measures for the economic and political empowerment of women and girls by ending all forms of discrimination and violence against them.

We must also create equal opportunities for them.

**4.0 Conclusion:**

Given the dire risks we face as a nation, we hope our leaders will show the necessary courage, fortitude and wisdom to compromise, reach a consensus, and sign and implement a National Charter to create a safe and democratic future for us all. The above ideas can be used as a preliminary agenda for dialogue and discussions. As the

taste of a pudding lies in its eating, the benefits of signing a National Charter will only be realized through its implementation, although our record in this regard is dismal. The implementation of the signed Charter, however, must begin with a credible election. Without this as a foundation, it will only be a futile exercise.

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