



Democracy: The journey that has taken a wrong turn

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If one must identify the fundamental premise of the founding of independent Bangladesh, it is democracy—we can claim that democracy was the *raison d'être* for establishing the country. The proclamation of independence, which promised equality, human dignity and social justice, was written amid a genocide and heroic resistance against the murderous Pakistani Army, but its significance for the future was not lost on its framers. The document says this is a product of “mutual consultation” among people who have been given “a mandate”. Those who penned and pronounced it clearly laid out the source of their legitimacy—will of the people expressed through the democratic process. The document reads—“We the elected representatives of the people of Bangladesh, as honour bound by the mandate given to us by the people of Bangladesh whose will is supreme, duly constituted ourselves into a Constituent Assembly”. The background of this document and events that led to the war require no elaboration, because the history is being told every day. A particular narrative has become part and parcel of the official discourse. But what needs to be reminded is the text itself on two counts, what was promised and what was the source of the courage and conviction of the founders of the country. The latter is more pertinent today as the nation celebrates the 49th anniversary of the victory of the war of independence while the very fundamental premise of this declaration has been hollowed out. The mandate that the document refers to was earned through the election of 1970, an inclusive process which was elusive

until then in Pakistan. The promise of the inclusivity laid out in this document was codified in the Constitution as democracy, as one of the state principles.

But unfortunately, in the past decade, not only has the country moved further away from the principle of democracy, but the trajectory is also quite alarming. The gradual erosion of the quality of democracy has turned into backsliding over time, leading to the establishment of a hybrid regime. The pathway was paved over a long time and in an incremental manner.

In the first two decades after independence, democratic practices were trampled by political and military leaders, as the country experienced one-party state and military rule. However, the 1990s offered hope that the country has begun to move in the right direction. After the downfall of an autocratic ruler, there was a high degree of optimism. Citizens expected that a new era would usher in. Some of the essential features of electoral democracy—a competitive, multiparty political system, universal suffrage, regularly contested free and fair elections and significant public access of major political parties to the electorate through the media and through generally open political campaigning—became the defining features of the Bangladeshi polity.

The electoral democracy was deficient in many ways. The independence of the judiciary and respect for civil rights were the most palpable although all political parties repeatedly expressed their firm commitment to these. Two major parties, the Awami League (AL) and the Bangladesh Nationalist Party (BNP), conveniently forgot their pledge to the people when they assumed power, but it was expected that the country will gradually build the institutions which consolidate democracy. A culture of forbearance will emerge, and democratic norms will be adhered to. Instead, the nation witnessed the erosion of democracy as power became concentrated in the hands of the Prime Minister—through constitutional and extra-constitutional measures; although the parliamentary system was restored after 16 years, parliament became a dysfunctional institution; and partyarchy—that is partisan control of all institutions of governance from administration to law enforcement to judiciary, became the practice. Politicisation of existing state institutions permeated society and civil society organisations.

By the middle of the decade, political parties were hardly vocal about their commitment to civil liberties and independent judiciary as their ideals. Instead, rhetorical acceptance of the principles of democracy with limited space for the opposition and media became the defining features. The institutions which would have allowed democracy to thrive were deliberately stunted while power of the individuals grew. These are markers of semi-authoritarianism. Questioning the legitimacy and patriotism of the opponents and allowing the attempts to physically annihilate the rival created an environment where all competitions were viewed as existential struggles.



ILLUSTRATION: MANAN MORSHED

The pernicious polarisation based on exaggerated notions of differences and contrived schisms betrayed democracy. Irony lies here that such divisions were created in the name of nation and democracy.

The facade of democracy continued until its inherent flaws gave way to the events of 2007-08. The promissory coup, a term coined by eminent political scientist Nancy Bermeo to describe military intervention claiming to restore democracy, didn't succeed in achieving its pronounced objectives. One can provide a long list of factors which shortened the life of the military-backed government, but at the heart of it was the lack of a mandate to govern, let alone lead the nation. Post-2008 could have been different had the ruling Awami League adopted a vision to democratise instead of trying to ensure a system which will allow them to remain in power in perpetuity. The hybrid system of governance, that is an alloy of democratic and authoritarian traits, was in the making well before the 2007 soft coup, but the pace of it accelerated after 2010, when the caretaker system was scrapped unceremoniously. The ruling AL increasingly became dependent on the coercive apparatuses and the partisan state institutions. As it happens with any hybrid regime, election became a mere ritual to gain juridico-legal power; the question of inclusivity and

democracy, gaining a mandate through a transparent process, became the obvious casualty. The engineered elections held in 2014 and 2018 are the most obvious examples of abandonment of the most fundamental element of democracy. Election by itself is not democracy, but there is no path to democracy without free and inclusive elections to acquire a mandate to govern.

The question then is, what structural issues have pushed Bangladesh towards a hybrid regime instead of liberal democracy or continuing a fragile democratic system? Deficiencies such as the absence of respect for civil and political rights notwithstanding, four structural weaknesses contributed to the backsliding. These are the absence of a balance of power, a lack of an accountability mechanism, a lack of consensus on the regime transition process, and an independent judiciary.

When the country reinstated the parliamentary system in 1991, it packed the power of presidency and the prime minister together in the office of the Prime Minister; thus the office became all-powerful with little oversight and almost non-existent accountability. This was the source of the rise of a *de facto* Prime Ministerial system. Coupled with the constitutional provision which preclude the Members of the Parliament to vote

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“I would like to say categorically and unequivocally that, our country will be a democratic, secular and socialist country. In this country, the labourers, peasants, Hindus, and Muslims all will be living in peace and harmony.”

BANGABANDHU SHEIKH MUJIBUR RAHMAN

at the first public address at Suhrawardy Uddan upon returning to independent Bangladesh on January 10, 1972.