

Vague Manifestoes

Leading political parties came under no-nonsense criticism from some of the country's eminent economists the other day for avoiding vital national issues in their election manifestoes. The political parties most likely to go to power have been found wanting either in the understanding of such issues as land reform and taxation or in the will to take them up. The inescapable fact that the country's mainstay is still agriculture has not at all figured in the BNP's manifesto. The Awami League also seemed reluctant to make any commitment to improving our agriculture.

The challenge in this area was whether a party was ready to go for a land reform programme like the one the West Bengal government had adopted to reap both agricultural and political dividends. However, the major parties shied away from trying their hands at this crucial subject. Their vague and often generalised stands on other economic issues have not helped the cause in the least.

About taxation the political parties have maintained an unbearable silence. As if the less said about this unpopular subject the better. The policy on taxation can often make or unmake a government. Wonder of wonders, the political parties have either preferred not to share their views on taxation with the electorate or, worse, wanted to keep the voters in the dark about how they will tax them after going to power.

The major political parties' manifestoes have greatly disappointed all who wanted to know how the country's economy will be run when one of them is at the helm of affairs. What is lacking is a vision for economy in the future. When agriculture and taxation are so neglected, one is forced to read a very bad ploy in the political gamesmanship or, worse still, the lack of an in-depth understanding of the issues or lack of courage or commitment to squarely face them. We do not like to make our own conclusion as to what it is. But we surely demand that the parties still have time to come out and make their stands known on these unmentioned issues.

A Very Bad Day

The Dhaka-Aricha road proved its notoriety as a death trap for the umpteenth time on Saturday when a speeding bus jumped out of a bridge, rolled thrice before landing and breaking into smithereens, killing 30 and injuring 60 in the process. Of the injured many may succumb to their wounds. This is the biggest toll a bus accident has taken of life within recallable memory.

At what speed the 'Nabin Baran' bus was crossing the bridge before taking the plunge? Some reports say it was trying to overtake a truck. Others say it was trying to get past a truck driving directly towards it from in front. The former is unlikely — a bus never overtakes a truck on a bridge. It stands to reason to imagine none of the vehicles were moving slowly at the crucial moments.

This journal has for long been pleading for load and speed checking stations as also highway patrolling. How much will it cost to cover by patrol the accident-prone 50 km stretch of the Dhaka-Aricha Road? Is it beyond government's power to bear that? Why aren't *malik samitis* required to set up their own checking stations? The Dhaka-Aricha Road cannot ever be straightened to remove the main cause of the accidents. The next best things to reduce deaths on this road are the two we recommend above. Please, heed this desperate counsel.

The Mawa Road was built to lessen the Aricha Road burden considerably. Has it materialised? There is a general feeling that Mawa Road is even more hazardous than the old and tortuous road to Aricha. Why?

Saturday, June 1 was a particularly bad day for Bangladesh. Fifteen persons were electrocuted together in a most inconceivable and horrible manner. As electrocution deaths are few and far between — this tragedy could well be world-beater. Election campaigners were travelling to a really filling up two buses and spilling on to the roof. A high-voltage live wire dangling from overhead grid electrified the buses killing 15 on the spot near Nandail and injuring about 50, some very seriously.

Could this happen if there were none on the roofs? We don't know. But this once again underlines the danger of travelling on bus — and trains.

Our condolences for all of the victims of the day.

A Charming Change

The ensuing polls has already created some charming aspects about it. Something very distinguishable by way of departure from the usual. Candidate behaviour has undergone a radical, almost revolutionary, change. They, and not their agents and workers alone, are going to the doorsteps of each individual voter. They are hugging and embracing whoever they can. Not all voters are embraceable — so some one of them started the *kadambusi* or kissing the feet. The more enterprising did not wait long to take the cue.

Now there is news candidates are stalking the voters to their kitchen. This time there seems to be no escaping for any voter — escaping the embarrassment of the cajoling candidates — all of them rich and powerful and mostly respectably aged — uttering impossible words of modesty befitting only a true beggar.

This is very pleasantly new, very welcomeably novel. This unbelievably good time, alas, will be very short-lived, ending on June 10. There are, of course, some who are having it not so good. They are the kinsmen of more than one candidate. They never had it so bad.

How are the candidates feeling? Will this new exercise lend them a touch of humility? Perhaps pre-polls campaigns of such a temper, if repeated over years, would bring that about in the mind of many hopefuls.

The Mirage of Parliamentary Democracy — II

by Nazim Kamran Choudhury



Parliament selects a majority to form the government. Once this government is formed, and unless it is defeated on the floor of the House, it becomes a power unto itself. It is the function of Parliament to legislate, to pass laws. But in practice almost all legislation originates from government, or more precisely, from the bureaucracy that form the administration.

feated on the floor of the House, it becomes a power unto itself. It is the function of Parliament to legislate, to pass laws. But in practice almost all legislation originates from government, or more precisely, from the bureaucracy that form the administration. With compulsory voting on party lines as per our article 70, no government legislative initiative can be rejected. Aside from primary legislation, numerous secondary legislation, standing regulatory orders, rules, regulations are issued by the executive affecting the everyday life of the ordinary citizen. None of these come under the oversight of Parliament. In fact, in legislation it is the government, and not parliament, that is supreme.

Parliament exists to examine, and to authorise, government spending. Here too, the majority strength of government ensures that it can carry through any policy it pleases.

It is the function of Parliament to scrutinise government. This perhaps is its most important role. It is through this scrutiny that

in the House directly. This is a system that has been adopted in the House of Commons where twice a week for 15 minutes, the Prime Minister answers questions on every aspect of government and its policies.

Another form of scrutiny is through ministerial standing committees of Parliament. This committee system developed in the United States almost from the first sessions in 1789. By 1810, there were 10 committees of Congress. Over the next hundred and fifty years, committees peaked to about 63 in the House of Representatives and 74 in the Senate. A great portion of the work of Congress is now done in committees.

In the British system, committees were set up as early as 1848 when a committee was formed to look into the expenditures of the army and the navy. In 1861, a Standing Order created the Public Accounts Committee which was entrusted with looking into the expenditure of the government in relation to the budget approved by

special Select Committee on Procedures was set up to recommend changes. This Committee produced a radical report that included 76 recommendations on legislation, financial control, the organisation of parliamentary sessions and so forth. The most important of these recommendations, which was adopted in 1979, was the setting up of Departmental Select Committees (Ministerial Standing Committees) for each ministry. These Select Committees have 11 members each, reflecting the party representation in Parliament. The Chairmanship of the Committees is also distributed according to party strengths. Once it is decided which party would chair which Committee the members elect the Chairmen. Ministers cannot be members of these Standing Committees as it is their policies.

It is the function of these committees to scrutinise government policy. They regulate their own meetings and can send for persons, including ministers to appear before it

Sabha) for most ministries. The functions of these committees include (a) consideration of the Demands for Grants (budget) of the ministries concerned; (b) examining Bills pertaining to the ministries concerned; (c) consideration of annual reports of ministries and making reports on them; considering national basic long-term policy documents presented to the Houses. These committees cannot, however, consider the matters of day to day administration of the concerned ministries. Indian political commentators are enthusiastic about these new committees as, like in most other parliamentary systems, committees are becoming the focal point of the legislature.

It is the nature of the parliamentary system that once a government is formed, a distinct difference develops between the government, i.e., the ministers, and their own party MPs. The backbenchers feel left out as they have no role in policy, legislation, or, for that matter, anything else. This creates an unnecessary



Parliament

Parliament can hold the government and individual ministers accountable for their policies and the way in which their ministries are run. Parliament does not make policy. That is the sole prerogative of government. But Parliament exists to examine, to criticise these policies, and to ensure its implementation in the spirit it was formulated.

This scrutiny can take different forms. It could be calling attention of ministers through questions to be answered on the floor of the House, through adjournment motions to debate issues of current importance, and through committees of Parliament on different ministries. While the Bangladesh Constitution provides for all these measures, its effectiveness is diminished by certain contradictions, and we need to look at them to find where we are going wrong.

An aspect of the development of the parliamentary system in the later part of this century has been the role of the Prime Minister. There used to be a time when the Prime Minister would be described, in relation to his cabinet colleagues, as the first among equals. This is not really the case since it is he who appoints or dismisses ministers.

Nowadays, most cabinet governments are identified with the Prime Minister. We do not say it is a conservative cabinet, but we normally say it is Mr John Major's government. This leading role of the Prime Minister means that he, more than his colleagues, is responsible for the policies of his government, and it is he who should answer questions

Parliament. However, it would be another 100 years before the House of Commons would consider other forms of committees to scrutinise government policies. After the second World War, the new Labour Government expanded its role to broader social and even commercial activity. As a consequence, the size of government, and the accompanying administrative machinery, exploded. The result was that Parliament found it difficult to really know what was going on. In 1956, a Select Committee on Nationalised Industries was formed but no further moves to set up other committees were taken, although pressure for reform of Parliament was building up.

In 1964, Bernard Crick wrote a book called *The Reform of Parliament*. In it, he said "Politics, not law, must explain the concept and practice of Parliamentary control of the executive." He went on to say that meaningful control was that which did not threaten parliamentary defeat of a government, but which kept it responsive to public opinion. He wrote, "Control means influence, not direct power; advise, not command; criticism, not obstruction; scrutiny, not initiation; and publicity, not secrecy." The elaboration of this concept was that Parliaments serve to inform the electorate and not to overthrow governments; governments must govern, but strong governments need strong opposition and that governments must plan and control finances both in broad terms and in detail. Crick's book gave strength to the reform movement and in 1978 a

to give evidence. They can send for papers, and hear evidence in public. The reports of these committees are usually by consensus and are sent to the government as advice. These reports are also published. The government is not bound to accept all recommendations, but it usually responds with a public reply in the form of a white paper. Since it is all in the open, public opinion becomes the determining factor.

The 5th Parliament served out its full term. It is just about its only claim to fame. But the 5th Parliament failed in its primary task of making Parliament the focal point. It failed to debate national issues, it failed in not being the forum for making policy statements, it failed by not allowing the opposition to perform its function of scrutiny, it failed in transparency. Much of the failure of the 5th Parliament rests with the government of that time, the BNP. Their failure stems from not understanding the parliamentary system, from not having the conviction required to make it work, from a lack of party leadership in not keeping its members properly disciplined and generally being very smug in their attitude. They should have realised that their government existed only because Parliament existed.

The government hardly ever made a policy statement in Parliament. They made policy statements in public meetings, at seminars attended by a few dozen people, at foundation laying ceremonies and even at interviews to visiting officials. But hardly any in Parliament. The former Speaker of the House of Commons, Lord Weatherill told an interesting story of the time he was Speaker. One morning, watching TV, he saw Prime Minister Margaret Thatcher make a policy statement to the reporters. Immediately he called her office to say that he wanted to see the PM make the statement on the floor of the House when Parliament convened in the afternoon. The PM soon called back to tell him that she would not be able to attend Parliament that afternoon as she was busy with a visiting head of government, and that was the reason she made the statement in the morning to the media. The Speaker then told her, "that Madam Prime Minister is your problem. I would still like to see you on the floor at 3:30". The Prime Minister came to Parliament at the fixed time and made her policy statement. A couple of years back, Prime Minister Narasimha Rao addressed a seminar at Singapore. During question time, a participant asked him when his government would make the Rupee fully convertible. He smiled and said, "If I tell you this here, my Parliament will take me to task. These decisions must first be told to them." This feel for parliamentary priorities comes from conviction and knowledge.

The Awami League as opposition in Parliament kept saying that the Parliament was not working. They blamed the government for the failure of the 5th Parliament. They said that the Prime Minister did not attend the sessions, that she did not answer any questions, that she did not take

hostility towards their own government, and results in party intrigue and backbiting which, in turn, leads to the government developing a siege mentality and being over-sensitive to criticism. This is politically unhealthy. If, however, all MPs are given a role to play, there can be a healthier development of politics and parliament.

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part in debates or make any policy statements, that the ministers were evasive in their replies, that the standing committees were controlled by ministers and officials and so on. They mentioned that it is the primary responsibility of government to make Parliament work. They seem to have learnt from their experience in Parliament. In their election manifesto they have said that Parliament will be the focal point of policy decisions.

The leadership of the Awami League have said that if they have an opportunity, they will introduce a Prime Minister's Question time. They said that the Public Accounts Committee (PAC) will be headed by a opposition member and that ministers will not be members of the ministerial standing committees. It is indeed encouraging to receive this commitment to Parliamentary reform from one of our major political parties. The Jatiya Party is also specific. They have said in their election manifesto that they will introduce a Prime Minister's Question Hour twice a week in which he will answer questions on his government. The ministers and their own party MPs. The backbenchers feel left out as they have no role in policy, legislation, or, for that matter, anything else. This creates an unnecessary

MPs of the Jatiya Sangsad, L K Siddiqui of the BNP, Motia Chowdhury of the Awami League, and Ebadur Rahman Chowdhury then of the Jatiya Party, visited Britain to look at the British Parliamentary system. On their return they prepared a joint report which they published and circulated to their party leadership, other MPs and the media. In their report they highlighted what they observed, and related it to their own working experience. They also made a number of recommendations for the Jatiya Sangsad to adopt. In September, 1995, a seminar was held to discuss these recommendations. It was attended and participated by Lord Weatherill who said that the report of the 3 MPs was one of the finest he had ever come across, as it described the strengths in Parliament. They have stated that they will not use the provision of ordinance to make laws. They have said that a special Parliamentary Committee would be formed to make the administration and bureaucracy accountable to Parliament. This Committee would also analyse the appointment, promotion and transfer of top level government officials. For a party with little parliamentary experience, the Jatiya Party seems to have understood the essence of the system and have put forward specific proposals. One must credit them for that.

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The 7th Parliament is about to be elected. It is likely that the new Parliament will again have a lot of new members who will be first time MPs. But it is also likely that the leadership will be with those who were in the 5th Parliament, whether in government or opposition. Over the last two years, the nation has paid a heavy price for democracy and sovereignty of Parliament. If the politicians and their parties truly hold that the Parliament should be supreme, then they must make it work. The issues and the solutions are on the table before them. They need to hear that it is a far more informed electorate than ever before. Possibly more copies of our Constitution have been sold in the last six months than in the previous six years. Politicians must realise that the 7th Parliament is theirs to make or break, and should it break, it will be the beginning of the end of our political system.

In Kautilya's *Arthashastra* he speaks of rulers and asks the question, "Who is better: a blind ruler or a ruler who flouts wisdom?" His reply, "Kautilya prefers a blind ruler since he can be influenced by counsel; but a ruler who flouts wisdom brings ruin on himself and the state." Who is better: a disabled ruler or an inexperienced ruler?" asks Kautilya. His reply, "a disabled ruler respects his usual duties; but an inexperienced ruler does as he pleases." Over two thousand years have passed, and we are yet to learn.

(Concluded)

To the Editor...

Fairy tales

Sir, A little girl asked her father, "Do all fairy tales start with *once upon a time* there was a king?"

"No my dear," replied the father, "these days fairy tales start with if I am elected."

The forthcoming election has triggered a deluge of fairy tales, some of which deserve places in *Guinness Book*. In fact, our CEC could take upon himself another service for the public — declaring a prize for the political party concocting the best yarn for the gullible voters.

Of course, our AL chief could advise both Italy and Japan, beset by so many scandals about kickbacks, as to how to set up honest governments.

Without doubt our BNP chief will be sought out by so many countries! I can only name Russia to start with.

Should we be unfair to JP?

They can advise Indian politicians, how to make the best out of a hung Parliament.

(1) AL will introduce an honest government and run the country by consensus.

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