

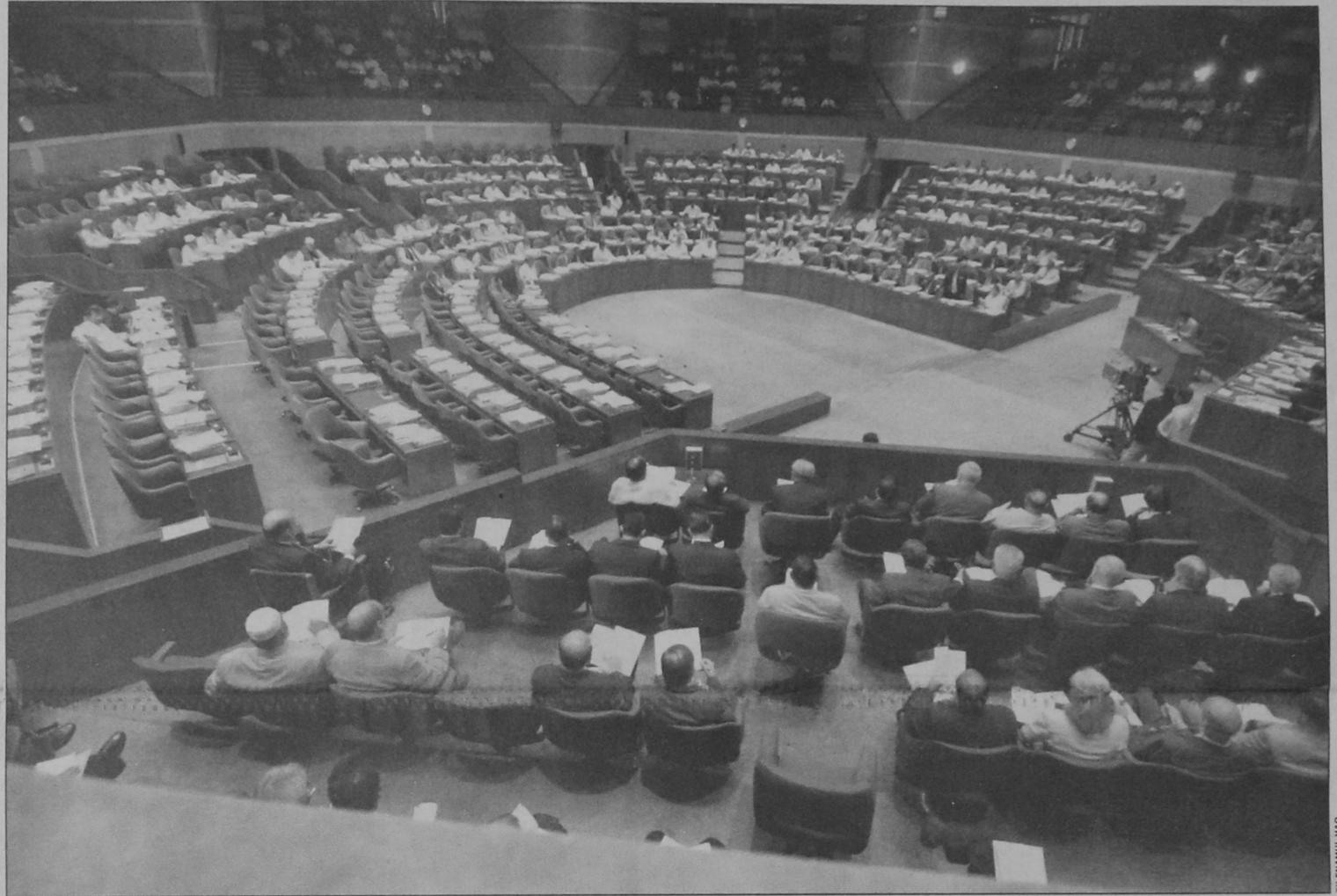
Making *parliament* effective

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THE institution of parliament in the subcontinent dates back to the British days. "The principles of parliamentary institution were put into motion in India by 'convention, precedents and statutes.' They were percolated through the filter of political evolution rather than developed in a moment." India, after the independence, maintained the parliamentary tradition. But in Pakistan, it made a hesitant start and foundered at the altar of the growing power of the bureaucracy, first civil, then military. But first ten years of parliamentary practice in Pakistan was not that dismal, as was painted later by the military rulers. Rather the experience of parliament showed growing maturity in the system. It 'registered tangible improvements characteristic of a developed polity and for that matter of the Westminster system.' However from the beginning anti-democratic forces were operating at the expense of parliamentarism. The usurpation of power by the military at the centre and subsequent collapse of federalism led to the dismantling of Pakistan. Although the years of struggle against Pakistani military regime, the cry of the democratic movement in this part of the country, which is Bangladesh now, was for establishment of a parliamentary democracy and in the process Bengali nation as a whole even took up arms to defend the verdict of the people in the elections of the seventies.

The liberation struggle that followed established Bangladesh as an independent country. The framers of the constitution of the new country took great pains in seeing that a parliamentary system of Westminster type can have an unhindered growth and would not fall victim to power games and intrigues, taking advantage of the loose ends, as experienced during the whole period of Pakistan.

But the tragedy that befell



Bangladesh came from within the parliament itself. Though the framers of the constitution conceived of a sovereign parliament, the absolute majority of the ruling party and its claims to rule as the leader of liberation struggle weighed heavily on it. The parliament from the very first day was dominated by the ruling Awami League. As absolute power breeds absolutism, any challenge to power whether real or otherwise, were faced with crude muscle of the state power as well as of the party. In the process the constitu-

tion was amended to give further power to the executive at the expense of the basic fundamental rights of the people as was given in the constitution. And the final crash came with the passing of the Fourth Amendment to the Constitution which put to death the very basis of parliamentary democracy -- the parliament itself and parliamentary practice. What remained of parliament was nothing but a caricature of it, as all the power of the state was vested in the single personality of the President who by the same

amendment was deemed to have been elected to that post and by virtue of the power as the chief of the only party remaining in the political arena was entrusted with the power to nominate candidates seeking election to that parliament. This helped the conspirators to have their way. The government was overthrown by violent means by a handful of conspirators and in the events that followed the army became the sole arbiter in the running of the state and politics.

The parliament was, however, restored in the bid to civilianise the military rule, but the essence remained the same. The parliament was virtually sidelined. Only after the overthrow of the autocratic regime in 1990 parliamentary Democracy was reestablished through an unprecedented unanimity in passing relevant amendment to the constitution. But transformation from a Presidential to Parliamentary system remained incomplete. Existing bias to the executive continued and accountability and transparency that were loudly pronounced off and on by the leaders of the regimes that took control of the state power after 1990, remained a slogan only.

The parliament viewed as a supreme body of people's power has a pivotal role in endorsing public policies and overseeing the executive in the discharge of its functions. In the law making also it has the supreme authority. But the experience is otherwise in our own country and as is enumerated by John

Garrett of the House of Commons from his years of experience as MP, the effectiveness of even British Parliament is on the decline. In "matters large and small the power of government over Parliament is far too great for government to be properly accountable to Parliament and to the electorate. Not only in the case of control over executive, in the matter of legislation also government gets all the legislation they want and when they want it, often at the expense of rational discussion." Furthermore, "None of this is by chance: it is a conscious act by the government to keep Parliament in its place and to see to it that it is ill-equipped to challenge, to check and scrutinise."

So if it is like this for a Parliament which passed through years of evolution and stated as a model for democracies, the truncated political process we had to go through could not have delivered better results.

To make Parliament effective, therefore, requires determined effort on the part of all, be it government or opposition.

But before we venture to discuss about the role of the government and the opposition to make the Parliament effective, let us first look into the basic mechanism through which executives are made responsive and responsible to Parliament. These are Question Hour, Adjournment Motions, Resolutions, Call-Attention Notice and above all the Committee functioning.

But before asserting the

authority of the Parliament the first work to be done is to re-establish the image of the Parliament which in our country, as in many others, is almost lost to the people as anything which can deliver any goods to the people. The people's perception of Parliament is one of a debating club at the expense of public money. It has been drummed up by the executives, though in a parliamentary democracy the executives owe its existence to that very parliament. The media attention to the expense of Parliament and Parliamentary works and consequential shying away from making investment to make parliament an effective and efficient body, is the common experience of all. In our country the fulfillment of the constitutional obligation to establish an independent secretariat for the Parliament was obstructed for long. John Garrett described his experience in the words that "while Parliament is silent in its own case fifteen main government departments now spend 150 million pounds a year (much more than the total cost of running the Parliament) on pumping out a favourable publicity about themselves." The is bitterly true about our parliament too. We find the Parliament members are often reminded of the per minute cost of parliament in session, by the executive, the media and unfortunately by the guardian of Parliament the Speaker himself, while millions of taka go down the drain in supporting the fruitless, even worthless endeavour by the executives.

Public awareness of how Parliament works is also very low, even among intelligentsia. The absence of local government and its authority in administering as well as in developmental work has made the work of parliamentarians difficult too in our country. The people look to the parliament and to the elected representatives for everything from redressing their day-to-day difficulties, development work in the area, policy making and legislation as well. These activities get into the time of the members which reflect on his performance as law maker and controller of the governmental activities.

That brings in the question what parliament is? The Parliament as we see in our country modelled after the Westminster type is an admixture of executive and legislative powers. It sometimes encroaches on the judiciary when we find the Speaker giving verdict on constitution and also on law which we saw in our Parliament in the recent past. But the feature of the Parliament is not of governance or performing the function of the judiciary, but to control the government and frame laws that would govern the country. The government is run by the cabinet and for their act of omissions or commissions they are answerable to the Parliament with regard to the management of their ministries, examinations of their spending authorised by the Parliament.

The primary function of the Parliament is to legislate. But herein also the initiative

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The best way to do it is to enable the parliament to exercise its sovereign right on behalf of the people to oversee every aspect of the governmental activities -- the administering of the ministries, piloting legislation, making budgets, checking spendings and above all in representing the country and the people. And here both the government and the opposition -- which alternates its role with the electoral process, should act together to make parliament effective.

