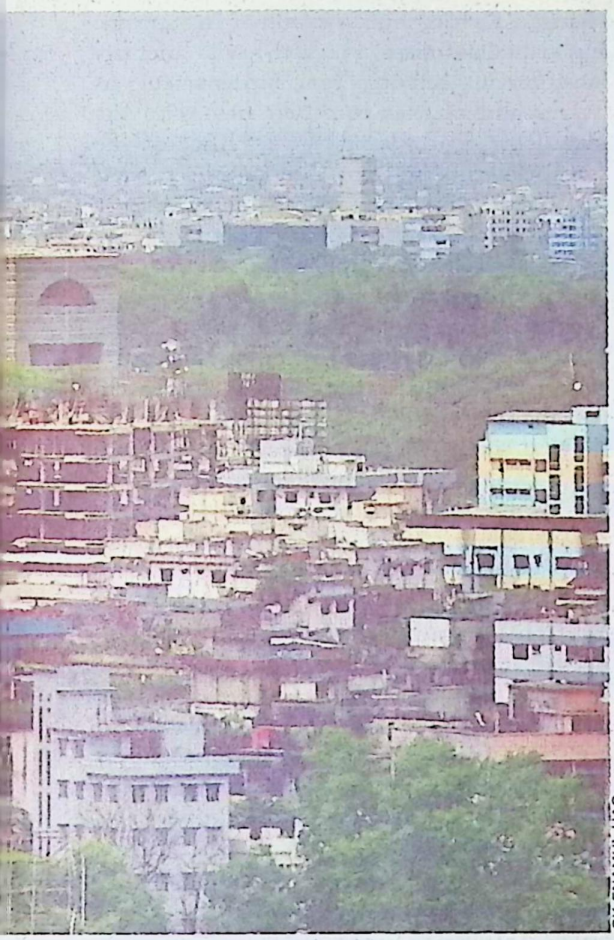


SK. ENAMUL HAQ

and its citizens. In other words, the quality of good governance in any society would eventually depend on the intensity of interface between the 'demand' of citizens' entitlements and the 'supply' of institutions' responsiveness.

The December 2008 general elections' verdict is significant because it has given the government the two-thirds majority required for constitutional amendments. In general terms, constitutional changes can come about in two circumstances: either through political consensus or by force (political or military). It is also accepted that constitutional changes through consensus are robust and defensible, both constitutional and politically. In contrast, changes brought about by force generally tend to be unsustainable.

Given the present debate that is ensuing in the country on possible changes to the Constitution of the People's Republic of Bangladesh, I take this opportunity to put some thoughts forward for the consideration of the readers of FORUM. The new government, with a strong mandate for 'change', is taking a serious look at the present Constitution and has initiated a process of consultation for possible amendments and refinement in light of its nearly 40-year existence. A well thought through and time-bound process of consultation could yield a list of changes, both constitutional and legislative.

Constitution and governance

The Constitution of Bangladesh, which came into operation on December 16, 1972, is as good as any other constitution. The Constitution of Bangladesh is divided into 11 parts containing 153 Articles. The Preamble declares that Bangladesh is a sovereign unitary Republic and the guiding principles would be that of nationalism, democracy and socialism. Given the dynamic nature of our society, it has gone through a number of changes, as has been the case with many such documents, and it is also expected that it will go through further refinement in the future, with the betterment of people's welfare in mind. But in the final analysis, what is important is that the Constitution would bring about within our society a balance between change and stability, tolerance and competition, opportunity and meritocracy.

What do we mean by governance? There are many definitions but let me state a couple. The World Bank defines governance as "the manner in which the power is exercised in the management of country's economic and social resources for development." UNDP defines governance as "the exercise of power or authority political, economic, administrative or otherwise to manage a country's resources and affairs. It comprises the mechanism, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights...and mediate their differences." A quick review of the governance literature will throw up the following terms which would indicate presence of good governance in any society: accountability, participation, transparency and openness, responsiveness and responsibility, consensus, rule of law, equity and inclusiveness, efficiency and effectiveness.

What are the citizens' expectations from the state and its organs? Generally, citizens expect efficient and effective use of resources and delivery of basic services such as education, health, personal security, to name a few. Proper functioning of core institutions should result in the fulfillment of these basic entitlements due to the responsiveness of the state institutions in an environment in which sustained economic growth becomes achievable.