governance of Bangladesh, shall be applied by the State in the making of laws, shall be a guide to the interpretation of the Constitution and of the other laws of Bangladesh, and shall form the basis of the work of the State and its citizens... ." These principles are significant and they act as a guide to the interpretation of the Constitution and the laws of Bangladesh. According to an eminent jurist: "Any legal provision made to further the principles of State policy will be prima facie be constitutional. If any provision of the Constitution or any statute is susceptible of more than one meaning, the courts should adopt that meaning which is in conformity with the principles set out in Part II of the Constitution." These are lofty and commendable principles but to what extent are they really improving the welfare of the citizens? It is the responsibility of the government to create an enabling environment which would allow citizens to demand the services that they deserve, as clearly articulated in the fundamental principles of State policy. Neither the market nor the non-profit sector can perform the role of the state to facilitate and coordinate the delivering of basic services and entitlements to its citizens.

Conclusion

In 1997, Thailand adopted a new constitution, which was acclaimed to be most citizen-centric in its approach. The constitution made provisions for an elected civil society Senate, envisaged that the majority of senators will be representatives of civil society representing a cross section of diverse national interests rather than narrower political, administrative, or business interests. It embodied an important role for the Senate in appointing nominees to the new independent agencies mandated by the constitution to promote transparency and accountability. It enshrined civic involvement as both state policy and a civic right. It stipulated that the government must encourage public participation as a matter of policy. In terms of resource management, the new Thai Constitution made significant public participation an essential requirement and incorporated certain mechanisms to promote accountability and transparency. A decade later, despite such an enlightened constitution, we saw unprecedented violence in the streets of Bangkok and elsewhere. What lessons can we take from this?

Bangladesh is very fortunate, as discussed above, to have a progressive and far-sighted constitution, which needs some fine-tuning to strengthen the 'institutions of accountability' and citizens' rights to go about their personal business and pursuits with enhanced expectations. Since 1991 the people of Bangladesh have been asserting their voices, changing their representatives to ensure change in government. But democracy has remained confined to periodic elections and good governance a matter of luck. What is badly wanting in Bangladesh is accountable political leadership and enlightened policy-making. Making the existing Constitution a scapegoat for our present malaise, and bringing about amendments to achieve partisan ends, would be like 'throwing the baby with the bath water.' It will be wise and beneficial for us, particularly the politicians, to pause and ponder before suggesting large-scale changes to the present Bangladeshi Constitution.

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1. For further elaboration of this point I refer to the forthcoming The State of Governance in Bangladesh 2009, IGS, BRAC University
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3. IGS (Institute of Governance Studies), BRAC University, 2010, Institutions of Accountability Series, the Judiciary: Policy Note, Dhaka, IGS
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8. Article 10
9. Article 17
10. Article 18
11. Islam, M, 2006, Constitutional Law of Bangladesh, Dhaka, Mullick Brothers

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