of the government.

The legislature was also empowered to remove constitutional officers such as the judges of the Supreme Court, the chief election commissioner, election commissioners, the chairman and members of the Public Service Commission, and the comptroller and auditor general -- on grounds of misconduct and incapacity.

According to the original Constitution, the country was to always have a functioning elected parliament. But over the years, many of the powers of the parliament were curbed and it has largely lost its pre-eminence due to some changes brought to the Constitution by the fourth, fifth, twelfth and thirteenth amendments. The amendments brought by both military rulers and elected governments, not only eroded the parliament's power, it also made the House subservient to the chief executive in some cases.

The process of undermining the parliament's supremacy began with the fourth amendment brought by the Bangabandhu Sheikh Mujibur Rahman-led government in 1975, imposing one-party rule and switching form parliamentary to presidential form of government. Although the parliament remained in place, its legislative authority became a captive of the president's veto power.

After his death in 1975 to 1990, the country was governed by military rulers either directly or indirectly under cover of civilian rule, who also opted for the presidential form of government.

Although democracy and the parliamentary system were restored in 1991 through the twelfth amendment, the House did not get back its original power and status.

The fourth amendment took away the parliament's power to remove constitutional officers, and bestowed the authority on the president instead. The first military regime changed that through a martial law proclamation, and introduced a new procedure for removal of such officers by the Supreme Judicial Council, a system that exists in Pakistan.

While the Supreme Court recently declared illegal and void the Constitution's fifth amendment which ratified all actions of the first military regime between August 15, 1975 and April 9, 1979, the judgment condoned the introduction of the Supreme Judicial Council in order to prevent revival of the relevant provision of the fourth amendment. In defence of its move, the apex court said that the Supreme Judicial Council is a more transparent procedure for removal of constitutional officers, which safeguards the independence of the judiciary.

The fourth amendment tightened the restrictions on MPs, making them unable to play their due role in the parliament freely. It also instructed for only two parliamentary sessions in a year, in contrast to the original Constitution's direction allowing only a maximum of 60 days' gap between the end of a session and the beginning of the next one. The subsequent military rulers did not bring any


The Bangladesh Times

ML goes: Constitution restored

Pledge to restore democracy redeemed

Amendment Bill passed

Build consensus on broad national issues: Mizan

ML lifting welcomed

Bill supported for ML lifting: Opposition MPs

Sangsad prorogued