

ASPIRATIONS FOR THE NEXT 50 YEARS

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An ideal vision of democracy in Bangladesh

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only derivative, transferred and committed to them in trust from the people, to the common good of them all, in whom the power yet remains fundamentally, and cannot be taken from them, without a violation of their natural birthright."

Accountability, a concept which has evolved and continues to evolve, is the basis of checks and balances on the one hand, while ensuring the role of citizens in the daily functioning of government, on the other. Accountability should not be considered as vertical mechanism only. For a viable and functioning democracy accountability means vertical, horizontal, and societal. Vertical accountability is the election system, while horizontal accountability of the government comes from a network of relatively autonomous powers, which are often the constitutionally mandated organisations such as the anti-corruption and the human rights bodies; societal accountability is to the citizens' associations.

Freedom of expression encompasses freedom of speech, of the press, of association, of assembly, and is a constitutive element of human rights. US Supreme Court Justice Benjamin Cardozo in 1937 introduced the notion of "preferred position", which maintained that there was a "hierarchy of constitutional rights" in which free speech would always be privileged over others, and declared that, freedom of expression "is the matrix, the indispensable condition of nearly every other form of freedom" (Palko v. State of Connecticut, December 1937).

DEMOCRACY AS A STATECRAFT: THREE ATTRIBUTES

Democracy is not only a set of normative principles, but also a way of governance. As the ideology gained salience and more countries adopted the idea, especially in the 20th century, political scientists ventured to explain what democracy means. Works of a host of political scientists contributed to the conceptualisation of democracy; among them Joseph Schumpeter, Samuel Huntington, Adam Przeworski, Giovanni Sartori, Juan Linz, Robert Dahl, are important. Their works have focused, in large measure, on identifying the attributes



of democracy as practiced. Their notion of ideal democracy was the second sense of "ideal" that Dahl discussed.

Schumpeter defined democracy as an "institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote." In the view of Huntington, democracy is "a political system in which the most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote;" and Przeworski et al claimed that "[d]emocracy is a system in which parties lose elections", and that it is hence characterised by: i) ex ante uncertainty; ii) ex post irreversibility; and iii) repeatability.

According to Dahl, there are seven pre-requisites for a system to be considered

"democratic": elected officials, free and fair elections, universal suffrage, the right to run for office, freedom of expression, alternative sources of information, and freedom of association. Dahl insists that democracy requires "not only free, fair, and competitive elections, but also the freedoms that make them truly meaningful (such as freedom of organisation and freedom of expression), alternative sources of information, and institutions to ensure that government policies depend on the votes and preferences of citizens."

Drawing on this tradition of studies I maintain that three attributes are essential to democracy: i) universal suffrage; ii) regular, free, competitive, multiparty elections for legislative and chief executive offices; iii) respect for civil and political rights including freedom of expression, assembly, and association as well as a rule of law under which all citizens and agents of the state have true and legal equality. These attributes comprise the minimalist definition of democracy and should be considered as a package instead of mutually exclusive indicators. That means to be called a democratic country one must meet all three criteria.

CONSTRUCTING AN IDEAL VISION OF DEMOCRACY

The four foundational principles and three attributes of democracy I have discussed in the previous sections have offered us two pieces of the puzzle. Whether these principles and attributes can be considered universal is an open question, but these principles and attributes can, to a great extent, transcend temporal and spatial differences. This is not to suggest that differences about institutional arrangements and public perception will not exist. Instead, it is imperative to consider how citizens perceive democracy and what they expect the contours of democracy to be. This is what I have identified as the third piece of the puzzle.

In the context of Bangladesh, the history of the past 50 years has demonstrated that democracy has faced serious challenges from both civilian and military leaders, experienced gradual erosion in the past three decades and is currently undergoing a backsliding (Ali Riaz, "Democracy: The journey that has taken a wrong turn", The Daily Star, December 16, 2020). Does this trend reflect the popular perception of democracy? Or in other words, what is the vision of the citizens?

WHAT DO BANGLADESHIS WANT?

In a face-to-face nationally representative survey of 4,067 households conducted from April 12-30, 2017 under a project of RESOLVE (Principal Investigators: Ali Riaz and Christine C Fair), we found that there is overwhelming support for the four core principles of democracy among Bangladeshis. The survey used four key attributes—property rights, elected representation, independent judiciary, and freedom of expression and assembly—as indicators of democracy. Respondents have the highest support for the security of individual property rights; with around 92 percent agreeing

individual property rights were either extremely (63 percent) or very important for them (30 percent). An overwhelming 91 percent thought elected representation was a core democratic principle; with more than 61 percent citing this attribute as extremely important and 31 percent as very important. Among the attributes of democracy, freedom of expression and freedom of organisation were supported by 76 percent and 75 percent respondents, respectively. Respondents showed a strong preference for elected leaders. 55 percent of the respondents expressed a strong preference for democratic, secular leadership, while 39 percent voiced support for a democratically elected religious leader. Non-democratic leadership, whether secular or religious, was preferred only by a small minority.

Our findings were consistent with the surveys conducted previously. In a survey conducted by the United States Agency for International Development (USAID) in late 2003, nearly two-thirds of the respondents (62 percent) chose a "government ruled by democratically elected representatives" as the preferred system of governance. As for other choices, a "government ruled by Islamic law, with respected religious figures as leaders" was favoured

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by 21 percent, followed by "a government ruled by a military leader who got things done" at 11 percent and "a non-elected government ruled by specialists, experts, and business leaders who know what it takes to develop a country" at three percent. A decade later, the sentiment remained almost the same; a survey by the Pew Research Center in 2013, showed that 70 percent of Bangladeshis preferred democracy as opposed to 27 percent who preferred a "strong leader".

Respondents of the USAID survey gave democracy strong marks for being the best system for protecting individuals' rights and freedoms (79 percent), ensuring equality of all citizens (69 percent), providing order and security (69 percent), keeping the country united (68 percent), and solving community problems because it gives everyone the chance to speak about their concerns and interests (59 percent). Weighted narrowed responses of the Governance Barometer Survey Bangladesh 2010 (conducted by Brac University) showed that 80 percent of respondents felt elections were the critical ideal of democracy, followed by free public debate

(71 percent), rule of consent (60 percent), ability to participate in decision making (50 percent), and ability to access information on government activities (40 percent). In a survey conducted by the International Foundation for Election Systems (IFES) in 2000, where respondents were provided with a list of fundamental rights and were asked, "How important is it to you that the following rights be respected in Bangladesh?" Rural respondents picked "one can choose from several parties and candidates when voting" overwhelmingly while urban respondents indicated "honest elections are held regularly" as the most important right. As for the attributes of democracy, the Global Survey conducted by the Pew Research Center in 2002 showed that Bangladeshis identified three major attributes of democracy: people can openly criticise the government (81 percent); there are honest, two-party elections (71 percent); and free press/the media can report without censorship (64 percent).

FROM PUZZLES TO A PICTURE

While normative principles and fundamental attributes seem abstract, the opinions of Bangladeshis show that democracy is not an abstract idea to them. Bangladeshis view democracy as a competitive pluralistic political system which holds regular free elections, protects individual's rights and freedoms, and allows citizens to express opinions freely without fear of being persecuted, either by the state or by non-state actors. These expectations can only be fulfilled if the political system is built based on the recognition of popular sovereignty, and if accountability mechanisms—vertical, horizontal, and societal—are created and nourished. Recognition of popular sovereignty requires renouncing despotic power, a penchant for authoritarianism and refraining from use of state power as the personal preserve. The societal accountability mechanism can become the norm only when a strong civil society is present. The civil society, as we are aware, includes independent media.

These will require changes in the existing institutional arrangements and constitutional provisions. A few examples of these changes follow. The size of the parliament needs expansion from 300 to 450 members with at least one-third of the members elected through a proportional representation system which will break the stranglehold of one or two parties engendered by the First-Past-the-Post (FPTP) system and the prevailing majoritarianism. The increase of parliament members will require restricting of constituencies with a smaller number of voters. Moving to a bicameral system will provide the opportunity to create an additional level of accountability of the ruling party. Until a powerful independent election commission is established which has the trust of the citizens, restoration of some mechanism of non-partisan government in the constitution is essential. Article 70 of the constitution, which has made the parliament members hostage to party leadership and contributes to the dysfunctionality of the parliament should be scrapped or revised. The current arrangements which allow the prime minister to concurrently hold party leadership and the leader of the House, should be discarded. In a similar vein, the balance of power between presidency and the office of prime minister, should be seriously explored. Without the independence of the judiciary, and three constitutional bodies—the Anti-Corruption Commission (ACC), the National Human Rights Commission (NHRC), and the Public Service Commission (PSC)—even the facade of democracy cannot be maintained. This not an exhaustive list of the changes required for an inclusive accountable democracy, but rather some examples to consider for an ideal substantive democracy in Bangladesh.

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