

Bangladesh can learn from Tunisia's experience



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The overthrow of dictator Sheikh Hasina in the recent mass uprising has given rise to new optimism in Bangladesh's long struggle for democratic transition. Learning from the failure of democratic transition after the 90's mass uprising, public opinion has been formed in favour of various institutional reforms including the country's constitution. In this context, lessons need to be learned from the failure and success of institutional reforms in other countries of the world.

The pragmatic and consensus-based politics exhibited by Tunisian political leaders and civil society groups in their struggle for democratic transition can be a good case study, as mentioned in *The Tunisian Revolution and Democratic Transition (2022)* by Mohammad Dawood Sofi. From Tunisia's experiences of success and failure, we can understand what to do and what not to do in the path of democratic transition.

Tunisian dictator Ben Ali was ousted from power in a mass uprising in January 2011. After that, to break free from the old authoritarian rule and initiate a democratic transition, a decision was made to elect a National Constituent Assembly (NCA) to draft a new constitution. A commission named High Authority for the Achievement of the Revolution Objectives (HAARO), simply known as the Ben Achour Commission, was formed to frame new electoral laws and procedures for the smooth conduct of elections for NCA. The commission with 155 members had a broad representation of legal experts, scholars, civil society organisations, and political parties. Following a free and fair election, a 217-member NCA was elected in October 2011 with representatives of various political parties.

Under the leadership of this elected constituent assembly, several specialised committees were formed to draft the various parts of the constitution, including the preamble, general principles, fundamental rights, government structure, judiciary etc. The committees prepared the drafts by taking advice from many local and foreign legal and constitutional experts. Different social groups including labour unions, women's and human rights organisations also participated in this work providing advice and playing a role in resolving disagreements among political parties on different sections of the constitution. In this way, the draft constitution was finalised based on the active participation and

opinions of people from all walks of life and was adopted as the constitution of Tunisia in January 2014 by a two-thirds majority vote in the NCA.

Unlike in Egypt, where two constitutions were quickly drafted by appointed committees with little public debate or input within two years after the Arab Spring, the elected NCA in Tunisia drafted the constitution based on two years of arguments and compromises. This constitution was termed as the most progressive one in the Arab world, in which freedom of expression, religious freedom, and equality of men and women were guaranteed. The 2014 constitution tried to balance the powers of the president and the prime minister. According to the constitution, the ministries

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of defence and foreign affairs would be in the hands of the president and the remaining ministries would be controlled by the prime minister. The parliamentary election would be based on the proportional representation system. The president would be elected by general, free and direct elections, who would appoint the prime minister consulting with the parliament. The constitution legally mandated the Independent High Authority for Elections (ISIE) which was formed by the NCA in January 2014 by secret ballot and with a two-thirds majority of the NCA. ISIE has been provided with its own budget, and a provision prohibits the removal of members without specific reasons prescribed by law. ISIE held a series of fair and impartial elections—both parliamentary and presidential—in 2014 and 2019 which furthered Tunisia's democratic transition.

However, the political parties that came to power through these elections could not solve Tunisia's economic, social and security issues. Problems such as unemployment, inflation, corruption and inequality again fuelled public discontent. Added to that were the terrorist attacks of various Jihadi groups. Demonstrations intensified in January 2021 to protest the failure to deal with the Covid pandemic, the economic crisis and police

court, which still did not exist due to the inability of the parliament to agree on the court's membership.

Exploiting this situation, President Kais Saïd drafted a new constitution in June 2022 that would reverse Tunisia's democratic transition. Then in July 2022, in a controversial referendum held in the face of strong objections and boycotts by opposition parties where voter turnout was

weak judiciary, inadequate mechanism for resolution of differences between the president, prime minister and parliament etc. Besides, the 2014 constitution did not give due importance to ensuring various social and economic rights of the people, which acted as a catalyst behind the erosion of the constitution's popularity.

The positive aspect of Tunisia's constitutional reform was the democratic



PHOTO: REUTERS

Tunisian President Moncef Marzouki holds a copy of the country's new constitution after signing it in Tunis on January 27, 2014.

brutalities. Exploiting this public discontent, President Kais Saïd, a retired law professor, who won the 2019 election by a landslide, suspended the parliament and dismissed the prime minister in July 2021. And in doing so, he used Article 80 of Tunisia's 2014 constitution, which empowers the president to take "extraordinary measures" for a specified period of time on matters of national security and sovereignty. But first suspending and then dissolving parliament under Article 80 was unconstitutional as the article mandated that the prime minister and the parliamentary speaker be consulted and that the parliament remain functional during such exceptional measures. Unfortunately, the one body that could adjudicate whether Article 80 was appropriately applied was the constitutional

only 30.5 percent, the new constitution was adopted, effectively transforming the Tunisian government into a presidential autocracy.

Notable among the reasons for this reversal of Tunisia's democratic transition within a decade of the fall of the dictator are: extreme political polarisation, especially between secular and Islamist parties; failure to address economic problems such as inequality, unemployment and inflation; terrorist attacks by various jihadist groups that sway public opinion in favour of authoritarian action; various weaknesses of the constitution including ambiguities regarding the distribution of powers between the prime minister and the president, lack of protection mechanism to prevent misuse of Article 80 of the constitution,

process of drafting the constitution through an elected National Constituent Assembly based on the opinions of people of various ideologies. For this reason, Tunisia was exceptional while many other countries in the Arab world that were freed from autocracy in the contemporary period quickly fell into military rule or civil war. On the other hand, the democratic transition of Tunisia faces major obstacles due to the political divisiveness based on identity and the inability of the political classes to solve the long-standing economic problems such as inequality, unemployment and inflation by utilising the political freedom enshrined in the new constitution.

It is important to learn from this experience of Tunisia as Bangladesh embarks on a democratic transformation journey.

How will Bangladesh-China relations shape up?



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If Bangladesh is suspended within the geopolitical tripod of India, China and the United States, where are we positioning now? The current discourse suggests that priorities are set where the near-neighbour with the largest GDP on the planet only gets bronze, not silver, and certainly not gold.

Beijing keeps its customary quiet demeanour, scrupulously keeping to its decades-long policy of not publicly interfering in internal matters. They are, however, quite interested in the events of the Bengal delta. The *Global Times* on August 12 noted that Donald Lu's visit in May was seen by some as "part of a strategy to pressure Hasina into acting against China." Liu Zongzi, director of the Center of South Asia Studies at the Shanghai Institute for International Studies, guessed that the reason for the US "seeking to overthrow her [Hasina]" was "(her non-compliance) with the US on many issues."

Myanmar and St Martin's Island

Let's chat about St Martin's Island, a tiny, three square-kilometre coral outpost, as referred to in Chinese media. I visited the island—also known as *Narikel Jinjira*—in 2001, staying there for a night—a time when it was still not on the tourist trail. It took mere minutes to walk from one end to the other. Could this fragile place really be the location for a US base, to add to their 800-plus others around the globe? Eight kilometres off the coast of Arakan, some suggest it could be a listening post and a forward deployment point. In the age of drones, could one intervene in Arakan and the rest of Myanmar? It reminds us how Bangladesh and Myanmar security forces



VISUAL: ANWAR SOHEL

faced off each other in 2018.

Whether it is St Martin's or Teknaf is not the issue. Beijing is naturally alarmed by the civil war in Myanmar, with which it shares a long porous border. Instability in this resource-rich place directly affects Yunnan. Given that the US is confronting China in the Taiwan Straits, it is plausible that a "second front" might appear on the Irrawaddy (Aeyarwady). If Dhaka shifts from Delhi to Washington's orbit with this new administration (or possibly a BNP one), Beijing will naturally look at the security implications across the Naf River and beyond.

More than a million Rohingya remain trapped in an open air confinement in

how often have our political elites ever evinced an interest in Myanmar—and thus China?

There was one time. In 2012, there were talks of Chinese willingness to build a direct road from Kunming via Mandalay to Teknaf, which was shelved. India leaned on Yangon to block that lifeline. Later, Delhi also put an end to the longer route from Kunming to Kolkata, via Dhaka, which had been rebranded as BCIM (Bangladesh-China-India-Myanmar Economic Corridor).

Treating China like a cash cow?

This is where we come to the nub of the problem. We see China as just a giant foreign aid ATM. They are ready to lend and build as

part of the Belt and Road Initiative (BRI), but they also seek a deeper partnership.

Even though I had my fears, I wrote a piece in this daily in July, titled "Mission to China." I was shocked how disastrous the trip to Beijing turned out to be. Last year, in discussions in Dhaka, I was led to believe that the Awami League government would shift dramatically to Beijing after securing its victory in the January 7 (selection). But would Delhi allow such a thing? This year, Sheikh Hasina made not one, but two, visits to Delhi. The second one looked like a dressing down by the South Block. Chinese offers to invest over a billion dollars in saving the little water that came from the Teesta River were to be rejected. So were any major breakthroughs. So, the former foreign minister, Hasan Mahmud, and associates banded about the sum of money they would ask out of China. \$5 billion worth of yuan, which became \$2 billion. More infrastructure—easy to syphon commissions from, perhaps.

This was capped off by a severe breach of diplomatic protocol. Hasina and her courtiers tore up the schedule and returned one night earlier. Mahmud claimed it was because she was terribly ill. Even if it was because they got wind of the seriousness of the student revolt, the then foreign minister and colleagues could have remained. But no, they returned—all smiles. Criticisms were batted away with a prime ministerial diagnosis that our heads had to be examined.

The interim government must talk about jobs, industrialisation and the partnership with China. Last month, the issue, at its ultimate core, was not only the unfair distribution of bureaucratic posts; it was also the profound lack of decent employment in the private sector. To solve that, one needs a policy, a strategy and shedloads of capital.

As a gift, China upgraded the relationship to that of a Comprehensive Strategic Cooperative Partnership. Has anyone noticed much of any dialogue or observations about this?

That was then, this is now

Over the last decade, we have been unable to work with China to build a new industrial export sector to wean us away from our dangerous dependency on the RMG sector. Jagaran Chakma's report in this daily last month detailed the painful odyssey of the Chinese Economic and Industrial Zone. The 784-acre site in Chattogram was allocated for Chinese industry. Intended to create as many as 200,000 jobs, it is still inoperative for eight long years.

The interim government must talk about jobs, industrialisation and the partnership with China. Last month, the issue, at its ultimate core, was not only the unfair distribution of bureaucratic posts; it was also the profound lack of decent employment in the private sector. To solve that, one needs a policy, a strategy and shedloads of capital. Right now, only China offers that quantity of capital and expertise to invest in new industries. Supply chains, component-producing factories, industrial clusters are all exporting to earn dollars and yuan. This should form the basis of the developmental discourse, and it should be steered towards modern industry and associated technology.

In 2024, the unipolar world of yesteryear has disappeared. China is the manufacturing core of the world. It is the largest consumer market, too. It is just that we have little to sell to them, hence the urgent necessity to set up newer production lines to create higher skilled jobs.

Can Md Touhid Hossain convince us that Bangladesh has not moved merely from the Indian leg of the tripod directly to a distant Western power? I would like to hear more about how Bangladesh will work with China, to genuinely further mutual interests. This is still a least developed country. Tens of millions of young Bangladeshis are rightly impatient. Time is short.