# **Good Governance: Bangladesh Perspective**

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**Abstract:** Good governance, as a concept, has swept public attention over the last decade. It has also become a significant pillar in the consideration of a State's ability to conform to universally acceptable democratic standards. In Bangladesh, the present condition of good governance is not satisfactory. Many problems act as barriers to good governance. To ensure sustainable development, actions must be taken to work towards achieving good governance.

### Key words: Governance and Bangladesh

#### INTRODUCTION

Today's democratic environment across the globe prods the governments to maintain a disciplined and structural framework in the operation of democratic polity. Good governance has been the main one in this regard. The absence of good governance is inimical to the democracy and not conducive to the welfare of the common people. It is egregious that still the governments of most of the democratic countries of the world can not ensure good governance for their people and as a result, a chaotic and instable political atmosphere has been kept generating.

Governance has become the hottest topic in political discourse around the world ever since the fall of Soviet communism in Europe and the end of the Cold War. More precisely, good governance has become the yardstick by which the success of nation-states is being measured<sup>[1]</sup>.

Developing countries are in need of good governance immensely to expedite the overall performance of the state in a satisfactory level. Albeit, there is no particular criterion to gauge whether good governance is in existence, the performance of the government and the administration, the dynamism of the law and enforcement agencies in subduing crime and criminal offences, the layer of security for the common people existing in the country, human rights condition etc could provide us some signs of the condition of good governance<sup>[2]</sup>.

In Bangladesh all the internal and external actors of politics, administration and development are emphasizing on the need for good governance. Today it is not only academic issue rather it is being discussed in aid forum and executive meeting and discussions. But actual picture of governance in our country does not prove to be good and satisfactory. Local as well overseas experts believe

that Bangladesh has made progress in many areas, such as primary education particularly for girls, child survival, empowerment of women etc. But these experts also recognize that the country faces many challenges: basic services such as health and education still not reaching all, justice under law remains a mirage for many, lack of security is a constant worry, corruption is endemic, businesses and workers both worry about impact of a globalized world under World Trade Organization rules and the administration remains highly centralized<sup>[1]</sup>.

This study focuses on challenges, experiences and strategies for good governance in Bangladesh. It explores what capacities state needs to develop to meet the demands and how to strengthen governance institutions, including electoral management bodies, parliaments and judicial systems in Bangladesh.

#### MATERIALS AND METHODS

This study is based on secondary information that includes book, journals, research reports and other documents. Relevant information has also been collected through internet browsing.

### Defining the key terms

Governance: Governance is seen as the exercise of economical, political and administrative authority to manage a countries' affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and meditate their differences. The concept of 'governance' is not new; it is old as human civilization. It can be defined as the undertaking of activities, management of resources, organization of men and women by groups of people, communities, local government bodies, business

organizations and the branches of the state (legislature, judiciary and executive) through social, political, administrative and economic arrangements that meet the daily needs of people and ensure sustainable development<sup>[3]</sup>.

According to Landell-Mills and Serageldin, governance is the use of political authority and exercise of control over a society and the management of resources for social and economic development<sup>[4]</sup>.

Towards the end of the 20th century, in its Governance and Development Report (1992), the World Bank has maintained that "Governance in general, has three distinct aspects: a) the form of a political regime (parliamentary or presidential, military or civilian and authoritarian or democratic); b) the process by which authority is exercised in the management of a country's economic and social resources; and c) the capacity of government to design, formulate and implement policies and, in general, to discharge governmental functions.

The UNESCO in a report (1997) has maintained that governance is a process whereby citizens' needs and interest are articulated for the positive social and economic development of the entire society and in the light of a perceived common goal<sup>[5]</sup>. In general sense governance means exercising political power to manage a nation affairs.

Good governance: Good governance then, is a process whereby public resources and problems are managed effectively, efficiently and in response to critical needs of society. The ESCAP of the United Nations has emphasized for good governance, the participatory nature of the government and the rule of law. According to this definition, good governance has 8 major characteristics -It is participatory, consensus oriented, accountable, transparent, responsive, effective, efficient, equitable and inclusive and follows the rule of law.

Good governance, for the World Bank, includes some or all of the following features:

- An efficient public service;
- An independent judicial system and legal framework to enforce contracts;
- The accountable administration of public funds;
- An independent public auditor, responsible to a representative legislature;
- Respect for the law and human rights at all levels of government;
- · A pluralistic institutional structure and
- A free press<sup>[6]</sup>.

Good governance ensures a better today and a brighter tomorrow for all the citizens. It is the proper management of public officials. Still a precise definition of good governance is awaited.

To define and clarify the meaning of good governance, Sir Kenneth Stowe, a retired British permanent secretary, presents six desiderata. These are:

- Political freedom, including free speech and a freely elected parliament.
- Constitutional and judicial protection for the rights of the individual;
- Maintenance of the rule of law by an independent judiciary;
- Maintenance of stable currency;
- Development of a society as a whole by education and health care; and
- Executive accountability to a freely elected legislature<sup>[7]</sup>.

In general good governance means an ideal governing system that is inevitable for political, economic, social and cultural development of a country.

**Attributes to good governance:**Governance is good when it subscribes to the following characteristics:

Participation: The principle of participation derives from the acceptance that people are at the heart of development. Development is both for and by people; hence they need to have access to the institutions that promote it. Participation by both men and women is a key cornerstone of good governance. All men and women should have a voice in decision-making either directly or through legitimate intermediate institutions that represent their interests. Such broad participation is built on freedom of association and speech, as well capacities to participate constructively.

**Rule of law:** Legal frameworks should be fair and enforced impartially, especially laws on human rights.

**Transparency:** Transparency is built on the free flow of information, process, institutions and information are directly accessible to those concerned with them and enough information is provided to understand and monitor them.

**Responsiveness:** Good governance requires that institutions and process try to serve all stakeholders within a reasonable timeframe.

Consensus orientation: There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in society to reach a broad consensus in society on what is in the best interest of the society of the whole community and how this can be achieved<sup>[8]</sup>.

Equity and inclusiveness: A society's well-being depends on ensuring that all its members feel that they have a stake in it and does not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, have opportunities to improve or maintain their well-being. All human being are borne free and equal in dignity and rights<sup>[9]</sup>.

Management effectiveness and efficiency: Effectiveness concerns the ability of public bureaucracies to skillfully and efficiently transform public resources into services and infrastructure that correspond to publicly determined priorities. Performance orientation and transparent procedures are key facets of effective public management. Good governance means that process and institutions produce results that meet the needs of society while making the best use of resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of environment<sup>[10]</sup>.

Accountability: Accountability is a key requirement of good governance. Not only governmental institutions but also the private sector and civil society organizations must be accountable to the public and to their institutions<sup>[8]</sup> Accountability is assured by the processes for selecting power holders and by the procedures by which public decision-making processes and the results they produce are held up to public scrutiny and feedback.

**Availability of information:** Information flow is the currency of all linkages between civil society and government. It permits the public to judge the effectiveness of those in power and their bureaucracies. The public's ability to participate and to hold those in power accountable depends on the availability of information about laws, procedures and results<sup>[10]</sup>.

Good governance in Bangladesh: Good governance is the heart of democracy. In Bangladesh democracy as an institution is new and still fragile. The government of Bangladesh has made serious and sincere efforts to strengthen democratic institutions and promote good governance. We have put in place the non-party caretaker government, unique in the world, which assures the responsibilities for holding parliamentary elections on

completion of normal tenure of an elected government. Already three successive changeovers took place under this system. Yet democracy seems to be floundering. Good governance in Bangladesh is far from the actual consonance of the term. There are various factors like corruption, inefficiency of bureaucracy, politicization of administration, nepotism, improper use of resources etc that are constraining the very process of good governance.

Several aspects for ensuring good governance in Bangladesh are discussed in the following:

Accountability and transparency: Political accountability is an essential precondition of good governance in a democratic system. It entails that those holding elective political offices of the state must be accountable to the citizens for all their actions.

Bureaucratic accountability is possible only when political accountability is in place. Bureaucratic accountability requires effective performance of public agencies and officials in their relations with the public in a transparent manner.

Transparency that is related to accountability assumes that government decisions whether routine or matters relating to public importance be transparent to the citizens as they may either benefit or be adversely affected by such decision<sup>[11]</sup>.

In Bangladesh both politicians and public officials are not accountable and decision-making process is not transparent. The parliamentary government has been far from satisfactory. None of the first four parliaments proved to be largely ineffective due to prolonged boycott by the main opposition parties. Same thing is happening to the present parliament. The performance of MPs is affected by several factors: The interruption of the democratic process during the past two decades (1971-1990), non-functioning committees of the parliament, lack of support facilities and services for MPs and an environment of political polarization. As a result, critical issues of public policy are not adequately discussed and the executive branch continues to make major policy decisions without adequate input from the opposition<sup>[12]</sup>.

In a parliamentary system political accountability is ensured by making the executive accountable to the legislature. The legislature keeps watch over the activities of the executive through a number of mechanisms like various committees, questions raised by legislators and initiating debates on important issues. A number of factors have, however, considered by weakened the parliament's control over the executive. These are

- The inexperience of the majority of the legislators;
- The reluctance of the government to subject itself or its plans to debate;

- The tendency of the opposition (political parties) to oppose for the sake of opposition;
- Uncertainties concerning appropriate procedures resulting in part from the absence of institutional conventions or traditions;
- Some fairly sharp differences between the two largest parties on major symbolic issues although there are seemingly few differences on substantive program issues<sup>[13]</sup>.

Independence of the judiciary: One of the main themes of the modern concept of good governance is the separation of judiciary from the executive. In a judgment the Supreme Court directed the government to separate judiciary from the executive. The law minister opined that the Supreme Court has no legislative power for issuing such directive to the government. But both India and Pakistan, from whom Bangladesh inherited the congruent system of judiciary and executive, have already separated the same<sup>[14]</sup>. In a participatory democracy it is essential that citizens have faith in their public institutions. A judiciary that is seen as fair and independent is a vital component in sustaining people's trust and confidence in the judiciary. It is through judiciary that people truly experience the working of a democracy.

What is so special about the role of judiciary in a democracy is that as protector of the democratic Constitution and the guardian of the people's fundamental rights its contribution to the establishment of good governance is immense and indispensable. It is through the jurisdiction of judicial review that the judiciary checks abuses of power committed by government functionaries.

The government has proposed an independent judicial service commission for the appointment of judges in the lower judiciary. We must also think of making appointment of judges of the Supreme Court transparent and free from political favoritism. The present system of consultation with the Chief Justice has proved highly controversial and grossly inadequate. Both the major political parties are to be blamed for the scandals in the appointment of judges of the Supreme Court. Political favoritism of the successive governments has contributed to lowering the quality and efficiency of the judge<sup>[5]</sup>.

A sound judicial system which is a must for good governance, is possible when judiciary can independently exercise its authority. The judiciary was made subservient to the executive branch of the government by the fourth amendment to the constitution in 1975 Khan<sup>[14]</sup>.

In Bangladesh all government since the fall of Ershad have claimed for the independence of judiciary but were not sincere in implementing this. The high courts enjoy a certain measure of independence but the lower courts are under the direct control of the ministry of law. Magistrates are performing dual function of executive and

judiciary, which is not desirable for the sake of justice. The service of district and session judges, their transfer, promotion are controlled not by the supreme court but by the law ministry.

A number of actions taken by the present government leaves very little doubt in one's mind as to the stand of the government on the issue of independence of the judiciary.

Combating corruption: Corruption is perceived to be most acute in Bangladesh. The World Bank has cancelled and demanded refund of Taka 6.8 crore from three projects on the ground of corruption<sup>[14]</sup>. Corruption has been a constant headache for us over many years. Many points and counter-points both in supporting for or opposing against the ignominious title could be elucidated, but we must not cross the line by ignoring the true fact that the practise of corruption is existed in our governmental and administrative branches sometimes at a very high speed. The upward graph of the index of the corruption in Bangladesh points fingers at our poor accomplishment of the good governance.

A most crucial prerequisite of good governance anywhere in the world is the minimization of corruption in the government machinery. Otherwise, the very moral basis of a government as leader and final arbiter in the affairs of a country would quickly disappear. Unfortunately, over the years, we have witnessed only a continuous increase in corruption in our country<sup>[16]</sup>. Bangladesh stands first for continual fifth time in corruption according to the report of Transparency International<sup>[17]</sup>.

The general lack of political will to fight corruption in government is evident from the fact that after more than 30 years of independence only now the Independent Anti-Corruption Commission is being set up. It is a bold step on the part of the present government.

Every change of government, no doubt, brought down the corruption level somewhat, but perhaps within six months to a year matters tended to slide back to the past levels and even surplus these. Obviously, this situation cannot go on for long if our nation is to survive and prosper in freedom. Political will has to be exercised to minimize corruption in government institutions like Bureau of Anti-Corruption, Ombudsman, Human Rights Commission, Bangladesh Public Service Commission etc should be reformed and reorganized.

**Ensuring the rule of law:** Good governance is an extension of the principle of the rule of law. A society is well governed when there is a rule of law, not the rule of a man or woman. The rule of law requires that the existing laws should be reviewed in the light of the changed situation to make the laws compatible with justice. The

present government has introduced some new laws and amended some existing laws. The rule of law is a cardinal phenomenon to good governance, which has been tainted with the increasing number of extra judicial killing by the RAB<sup>[14]</sup>.

The rule of law is just not in practice in Bangladesh. Civil society is highlighting in particular its concerns with regard to two specific laws that facilitate endemic human rights violations in Bangladesh. The Special Power Acts (SPA) which allows arbitrary detention for long periods of time without charge and Section 54 of the Code of Criminal procedure which facilitates torture in police or army custody.

Calls for the repeal of the SPA has come from the legal community and human rights organizations. It has also come from political parties but only when they are in opposition. When in government, they have defended the use of the SPA and maintained it.

**Ensure people's participation:** Participation means people's involvement in the decision making process in the benefits of development programs and their involvement in efforts to evaluate such programs. In Bangladesh all sectors of government are suffering from lack of meaningful participation [14].

Local government bodies can be made effective if their activities are constantly scrutinized, inspected and their expenditure audited. Accountability, which cannot be achieved without meaningful participation of citizens, is a much-needed guarantee on the part of public officials. Accountability without popular participation is meaningless<sup>[14]</sup>.

Participation of civil society organizations: Civil society comprises the collective of those social organizations that enjoy autonomy from the state and have as one important goal, among others, to influence the state on behalf of their members. A strong civil society directly supports democratic participation, assure the rights and probity of the citizenry and contributes towards a deepening of policy accountability<sup>[18]</sup>.

Good governance requires vibrant, strong and active civil society organizations-for example, neighborhood associations, trade unions, women's organizations and constituency groups. Civil society organizations in Bangladesh have increasingly taken the forms of NGOs. They have been active in Bangladesh since independence and grown in size and number in response to new needs and a massive increase in donor funding<sup>[19]</sup>.

**Decentralization:** Decentralization is advocated for its multiple benefits especially when central governments fail to fulfill special needs of local community. Local government and communities knows about its condition

and are responsive to their needs. Decentralization increases accountability as citizens keep a close watch on the daily activities and corruption will be difficult while effectiveness is increased. It also promotes mobilization of local resources when people are involved in 'their' program. Decentralization is the primary strategy for transferring responsibility from the central government to substantial levels of government. It is a fundamental change in the institutional framework in which political, social and economic decisions are made. Bangladesh is seriously engaged in decentralization of power to local bodies with a view to bring democracy at the grass-roots level. Theoretically, the various powerful municipalities all over the country are supposed decentralized organizations but in fact, due to initiatory rule and an undemocratic culture, the local government system could not develop as a participative system of government factional cliques and parochial group interests determines the foundation and behavior of local government system. Local level needs and demands cannot be expressed properly. These local government bodies are highly corrupt and far removed from any notion of public accountability.

Decentralizing key authorities and functions of government, from the national level to regions, districts, towns, municipalities, rural areas, settlements and communities enables people to participate more directly in governance processes and can help to empower those previously excluded from decision-making, particularly the poor and women. It is therefore, a major determinant of whether a nation is able to create and sustain equitable opportunities for all of its people. Closer contact between government officials and local communities and organizations also facilitates exchanges of information that can be used to formulate development programs that are both tailored to local needs and priorities and realistic and thus more effective and sustainable<sup>[20]</sup>.

Ensure human rights and security: Good governance requires human rights-freedom from discrimination and violence, equal opportunity, due process, freedom of expression and speech. Fundamental rights are guaranteed by the constitution of Bangladesh. But human rights is a much neglected issue in Bangladesh since its journey in 1971. Violation of human rights are practiced by the rules of this country in the past and present. For decades, successive governments in Bangladesh have failed to curb serious human rights violations arising from the use of legislation and wide spread practices in the lawenforcement and justice systems. These violations include torture, deaths in custody, arbitrary detention of government opponents and others, excessive use of force leading at times to extra judicial executions, the death penalty, sporadic attacks against members of minority

groups, acts of violence against women. The present law and order situation is a great obstacle to the all-out development of the country. The excessive price of goods makes human life a sorrowful burden. The unemployment problem leads the youth of the nation to frustration and lack of hope for the future. The ultimate responsibility for safe-guarding human security lie with the state and in Bangladesh this responsibility remains unfulfilled.

**Public administration reform:** The reform of state institutions so that they become more efficient, accountable and transparent is a corner stone of good governance. Effective reform requires, first and foremost, strong political determination, which should include the support of private and civil society concerns.

Women in development: The issue of women in sustainable development is still a larger one because of their role in resource management in the country and also because of their role in grooming new generation of people. Any shortcomings in their knowledge access to information, opportunities and decision-making processes would mean that the whole community suffers in the long run. The present situation with regards to sustainable development is a clear indicator of depriving women from equal opportunities in all aspects.

With regards to women's involvement, while some progress has been made, there is currently inadequate research and analysis on women's participation either in decision-making roles related to environment and sustainable development. This would include more substantive understanding of existing barriers to participation and strategies to overcome them. Preliminary review of national reports submitted for both Beijing +5 and National Plans on Agenda 21 indicates that measurable data on governmental efforts to increase the proportion of women in decision making on sustainable development is quite limited.

#### CONCLUSION

Bangladesh scored the lowest marks among 209 low income countries in 2004 in the World Bank's governance situation survey conducted on the basis of six indicators of the governance issue: voice and accountability, political stability, government effectiveness, regulatory quality, rule of law and control of corruption. These indicators showed lowest ranking of Bangladesh in four of the six indicators and second lowest in the two others. The rating of Bangladesh on political stability was 11.7, for regulatory quality 13.3, for rule of law 22.2 and for control of corruption 10.3 all of which were lowest. Its rating was 26.4 for government effectiveness and 28.6 for voice and accountability.<sup>[14]</sup>.

Access to information is another vital factor for achieving the goals of good governance, which promote transparency and public accountability in the working of government functionaries. The task of improving governance calls for concordant efforts both from the government and the opposition. Strengthening accountability and ensuring transparency are two major components for improving governance.

Good governance is what every citizen in the country craves. But over the last two decades, the people of this country have witnessed a large and increasing divergence in governance, which has doubled corruption, collapsed rule of law and smashed political stability. Lack of good governance has impeded the sustained growth of democracy and poverty alleviation. The government now needs to do some soul-searching and be serious in addressing the problem of governance. Like the donors, the media and civil society should also mount pressure on the government to improve governance.<sup>[14]</sup>

Governance' itself is not a visible factor, it is a manner in which the economic, administrative and political authority is exercised at all levels. However, when governance is poorly managed it manifests itself in numerous visibility that hinders each individuals economic, social and everyday life, most of all to the vulnerable people. For example, if rule of law alone is poorly abided by its citizens and code of conduct does not exist, it will be noticeable through many ways on a daily basis like: noise/air pollution, solid waste dumping in the streets/rivers; traffic hazards and accidents; rampant structures growing in the city for individual benefit; crimes, thefts, rapes, lack of safety for citizens to move around; lack of control in prices of goods; disrespect of people to each other; police and authorities' indulgence in bribery by letting off violators of rules of law; etc. In the area of development programs, it will be displayed by lack of ownership by the people who were intended to be benefited because they were not involved in the design or implementation; apathy on the part of women and the disadvantaged people because it is the prerogative of only the elites to decide on their own favor; by high cost and ineffectiveness of programs because they are inappropriate for the people intended to be benefited; rampant corruption and cost ineffectiveness because decisions are not made in transparent manner; etc. etc. With the exceptions of some people initiated successful programs, sadly, this is the situation of the country's state of affairs at present. There is a general consensus that the governance is in crisis. A quick glance at the realities within the constitutional arms and the management of economic, administrative and political affairs further strengthens the statement on crisis in governance. Good governance is not easy to achieve in Bangladesh. This is mainly because a host of social,

cultural. Economic, administrative and legal variables affect the nature and consequently determine the shape of governance in our country. Following are some of the suggestions that could be addressed at various levels to create a responsive governance in Bangladesh:

- Improving the management of public delivery system, reforming public sector institutions and administrative procedures to reach the poor and the disadvantaged;
- Sustainable improvement in livelihoods and basic services for the poor and those vulnerable to poverty.
- Ensuring better law and order system to protect life and security of the people;
- Creating a system of governance that is transparent and responsive;
- Mapping governance needs of the poor;
- Improved realization of human rights and improvements in the positions of women and disadvantaged in the society;
- Improving public sector financial accountability;
  Enhancing the business and regulatory environment;
  Promoting fairness and justice within the organization of civil society;
- Working for the promotion and protection of civil and human rights;
- Helping the country put International human rights agreements into practice.

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