

## **Party Influence and Parliamentary Behaviour: The Decay of Democracy in Bangladesh**

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### **Introduction**

The core value of democracy is that it establishes an accountability relationship between the electorate and their representatives through parliament. The Parliament of Bangladesh, known as the Jatiya Sangsad (JS), has however, failed to ensure the accountability of its public representatives. In a system generally void of accountability, Bangladesh has become one of the most corrupt countries in the world, inhibiting other aspects of parliamentary democracy. Most disappointingly, Bangladesh failed to make a transition into another round of parliamentary democracy because of its failure to conduct ninth parliament elections in due time. Moreover, approving one hundred percent of cabinet bills, the JS has become a rubber stamp of the cabinet, a result of strong party influence over parliamentarians.

This paper primarily argues that the “party whip” inhibits proper parliamentary democracy in Bangladesh. In support of this argument, this paper examines the conduct of the eighth Bangladesh JS (2001-2006), an unstudied period. This paper first gives an overview of the composition of the eight JS. It then examines the determinants of parliamentary behaviour, especially the determinants of committee activism, and proposes the hypothesis for this study. The third section highlights the nature of party intervention in the eighth JS. The fourth section outlines the effects of party control and the limits of parliament. Finally, this study identifies the sources of party control on parliamentarians.

### **A Brief Description of the Eighth JS**

Bangladesh opted for parliamentary democracy with its independence in 1971. Nevertheless, parliamentary democracy was replaced with a one-party presidential system in January 1975 by the then ruling Awami League (AL). Sheikh Mujibur Rahman, the then president, was subsequently assassinated in the same year and the country fell into autocratic military rule until 1991, when it re-introduced parliamentary democracy following a mass revolution. In 1991, the fifth parliament elections were held. As a continuation of parliamentary system, the eighth parliamentary elections were held in October 1, 2001, and as the parliament should be summoned to meet within 30 days after the declaration of the results of parliamentary elections, the eighth JS was summoned to meet on October 28, 2001.

Like previous JS's, it was a 300-member unicameral parliament. The Members of Parliament

(MPs) were elected by direct election in a single-seat system. The power and functions of the eighth JS remained the same as the previous parliaments. The eighth JS, however, made three impressive changes. First, it created a provision for reservation of 45 seats exclusively for females. The seats were allocated to the parties according to their strength in the JS. Moreover, female MPs in the reserve seats were selected by their respective parties. Second, it institutionalized the Prime Minister's Question Time (PMQT). It changed rule 41 and included a sub-clause requiring that the first 30 minutes of the session of the House on every Wednesday be fixed for the prime minister's question and answer session. As it is included in the Rules, no one party acting on its own can alter it without difficulty. The JS also framed a rule requiring that questions would be selected by ballot. This has been included in rule 48 by changing the previous rule. Previously questions were selected based on the chronology of the submission of the notice. Third, the JS framed a rule requiring that committees must be formed within the third session of the new parliament. Previously there was no time limit for the institution of committees, except standing committee on privileges, which must be formed in the first session of the parliament.

A party grouping is the basic component of internal organization of a parliament. The Bangladesh Nationalist Party (BNP) appeared as the majority party in the eighth JS through its landslide victory, winning over 193 parliamentary seats out of 300. The Awami League (AL), on the other hand, won over 62 seats and appeared as the largest opposition in parliament. The representation of parties in the eighth JS has been found in table 1.

Table 1: Number of Seats of Parties in the Eighth JS

Party	Eighth JS (2001-2006)
Bangladesh Nationalist Party	193
Awami League	62
Jatiya Party (Ershad)	18
Jammat-e-Islami Bangladesh	17
Others	4
Independent	6
Total	300

Source: Election Commission Secretariat, Dhaka, 2001.

Comparatively speaking, the ruling party was in a much stronger position in the eighth JS (ratio of ruling and main opposition party seats was 3.1: 1) than in the fifth (ratio of ruling and main opposition party seats was 1.60:1) and seventh (ratio of ruling and main opposition party seats was 1.25:1). Alternatively, the main opposition in the eighth JS occupied fewer seats than in previous parliaments. Although the BNP had majority, it formed the government in cooperation with the Jammata-e-Islami Bangladesh.

As the ruling alliance was much stronger than the main opposition, it gave the alliance a big opportunity to dominate the House and committees in two ways. First, due to party control on the MPs and having two-thirds majority, the ruling alliance was able to enact laws easily. Second, members of committees are allocated by the parties according to their numerical strength in the parliament. As a result, the ruling alliance occupied more membership in the committees.

The committee system is another indispensable component of parliament's internal organization. The eighth JS had a full-fledged committee system. The committees constituted in the eighth JS can be categorized into general standing committees, financial committees, and standing committees on ministries, and they numbered 8, 3, and 37 respectively. General standing committees and financial committees are fixed by the Rules of Procedure of the Parliament of Bangladesh (hereafter the Rules), but the number of standing committees on ministries differs from time to time. Table 2 provides a list of committees.

Table 2: List of Standing Committees in the Eighth JS

Standing Committees on Ministries	General Standing Committees	Financial Committees
Agriculture	Business Advisory Committee	Public Accounts
Chittagong Hill Tracts		Committee
Civil Aviation and Tourism	Standing Committee on Rules	
Commerce	and Procedure	Committee on
Communication		Estimates
Culture	Standing Committee on	
Defense	Privileges	Committee on Public
Education		Undertakings
Environment and Forest	Committee on Petitions	
Establishment		
Expatriate Welfare and Foreign	Library Committee	
Employment		
Finance	Committee on Private	
Fisheries and Livestock	Member's Bills and	
Food and Disaster Management	Resolutions	

Foreign Affairs	
Health and Family Welfare	House Committee
Home	
Housing and Public Works	Committee on Government
Industry	Assurance
Information	
Labour and Manpower	
Land	
Law, Justice and Parliamentary Affairs	
Liberation War	
LGRD and Cooperatives	
Planning	
Post and Telecommunication	
Power, Energy and Mineral Resources	
Primary and Mass Education	
Religious Affairs	
Science and ICT	
Shipping	
Social Welfare	
Textile and Jute	
Water Resources	
Women and Children Affairs	
Youth and Sports	

Source: BJS (Bangladesh Jatiya Sangsad), committee section 2. Dhaka, Parliament Secretariat, 2006.

The eighth JS confronted two problems that the previous two parliaments did not face. The eighth JS began its first session on October 28, 2001, 27 days after the parliamentary elections. AL, the largest opposition party in parliament, responded to its electoral defeat by announcing a boycott of parliament unless new elections were held. It was not until June 24, 2002, that AL participated in parliament's on-going third session. Moreover, it took almost two years to form committees after the first sitting of the eighth JS due to the non-participation of the main opposition.

### **Determinants of Parliamentary Behaviour and Primacy of Party Influence**

Modern parliaments are expected to play the most important role in ensuring the accountability of the executive branch. Wheare (1965: 114) observes that the modern legislature fares better in making government behave than in making laws. Rockman argues that "The principal value of justifying "Legislative monitoring" of the executive is to ensure the triumph of representative

government by lines of accountability running through the organ that embodies popular sovereignty” (1984: 414).

To hold the executive branch accountable to it, a parliament mainly relies on parliamentary committees as sort of division of labor because of its lack of time to cope with the ever-expanding and complex responsibilities of government. It has neither the time nor the requisite expertise to fully ensure the parliamentary surveillance of the executive. In fact, the impact a parliament has is crucially dependent on its committee arrangements (Shaw, 1979: 229; Blondel, 1990: 249). Norton (1993: 100) argues that committees are able to ensure that ministers and civil servants are subjected to scrutiny in a publicly authoritative forum. Such scrutiny encourages them to work with more rigor and greater responsibility by making their actions more visible to parliament and to the electorates. Committees have the built-in advantage of being smaller bodies with greater time available to them to examine issues in detail. It is, therefore, no exaggeration to say that the real work of parliament today is performed in the committees.

Committee influence and their ability to enforce parliamentary accountability in the parliamentary cabinet system depend on a number of determinants, which can be categorized as internal and external. Internal determinants are summarized as follows.

*Committee set-up* One important question posed by Norton and Ahmed (1999: 7) is: do the committees parallel government departments? If the committees are set-up to match each ministry, they can exert more influence on the concerned ministry.

*Chairmanship* How the chairperson is selected and the degrees of autonomy in supervising the committees they chair are also important questions (Baerwald, 1986: 97).

*Committee power* Three kinds of committee powers are of importance here: agenda setting power, committee power to scrutinize government bills, and power to take evidence, hold hearings, and summon witnesses (1999: 7). If committees are free of party influence in agenda-setting, they appear to be more assertive. Committee power to enforce its recommendations is also an influential factor to make committees more effectual due to the fact that this power would ensure the proper implementation of its recommendations. One way of enforcing committee recommendations is to set a time limit for ministries respond to committees. Another alternative to empower committees is the enactment of a provision requiring ministries submits reports on action to the parliament with conducting follow-up discussions.

*Committee resources* Committees need adequate resources in terms of staff, funds, facilities, and other necessities to discharge their duties (Kornberg and Musolf, 1970: 13). However, experience shows that committees may not act as vigilant watchdogs even if they are endowed with staff and resource facilities. For example, Japanese parliamentary committees are often criticized that they have shown few results despite having an elaborate staff and the ability to conduct investigations and to hold public meetings (Baerwald, 1979: 345-346). In contrast,

Departmentally-related Parliamentary Committees (DPCs) in Britain are considered to be extremely important, although they have insufficient research support (Ahmed, 2003: 161).

*Openness of the committee meetings* Baerwald (1974: 97) said that the openness of committees to the media and the public is also an important consideration. However, in most western countries, committee meetings are closed, but they nevertheless are seen as effective bodies.

In contrast to the internal determinants above, the important external determinants are the following.

*The chamber* Parliamentary committees can affect policy outcomes more significantly in those countries where the chamber is bicameral rather than unicameral (Ahmed, 2003: 15). The second House creates checks and balances within the legislatures where they are incongruent, i.e., two Houses differ in their political compositions--as is the case in Japan now and which is experiencing a dramatic impact on the ability of prime minister to govern. In congruent legislatures where the political formation of the two Houses is similar, they may lack the ability to resist government legislation. Nevertheless, the veto power of bicameral systems on legislative proposals significantly differs depending on whether they are symmetric or asymmetric (Patterson and Mughan, 1999). If the bicameral system features are symmetric, the two chambers possess equal power to originate and veto legislative proposals. Conversely, in an asymmetric system, one chamber may have less control over legislation than others. However, Tsebelis and Money (1997) demonstrate that the power to delay implementation of a policy may be sufficient enough to affect legislative outcome and does a bicameral legislature have to be symmetric.

*Party politics* Shaw (1979: 241) presents the party as the most important conditioning influence on committee behaviour. Party cohesiveness generates a partisan atmosphere in the committee deliberation and thus limits the role of parliamentary committees. It is important to note that parliamentarians find committee business useful when they are allowed to engage in free discussion in the committees independent of party politics (Rahaman, 2006-2007: 20).

*Political culture* Ahmed (2000: 32) argues that a cooperative political culture is seen to be more conducive to the evolution of a strong parliamentary and committee system than a culture that promotes and sustains distrust.

Among the many factors explained above, this paper proposes that party politics is the primary determinant of parliamentary behaviour in Bangladesh.

### **Nature of Party Influence and Behaviour of the Eighth JS**

This section shows the nature of party intervention in the committee activities of the eight JS. More specifically, it examines the performance of committees and shows when and under what conditions parties impose restrictions on MPs in Bangladesh.

This study finds that some committees were active and performed well while others were

inactive and underperformed. The decisive intervention of party politics assumed to be the main determinant of success of committees. This idea has been illustrated in the following ways.

*Non-Interference of party and success of committees*

Among the committees, the standing committees on ministries and financial committees deserve special attention in that they are primarily entrusted with enforcing accountability. Among the standing committees on ministries of the eighth JS that were active with their assigned mandate, the standing committee on the Ministry of Religious Affairs was one of them. In its eighth meeting, the committee formed a subcommittee to investigate the irregularities in the hajj (the holy ritual of the Muslims around the world, which is held in Saudi Arabia every year) management in 2004. The subcommittee later recommended the concerned ministry that: (a) two officials be withdrawn from hajj mission, Saudi Arabia; (b) departmental action be taken against one official; and (c) a lawsuit be filed in the anti-corruption commission against one former secretary of the ministry (BJS, 2006a, 234-237). According to the report of the committee, both the first and second recommendations were implemented and the former secretary was exempted from the allegation after a hearing.

The standing committee on the Ministry of Power, Energy, and Mineral Resources also achieved some success. Realizing the involvement of meter-readers of the Dhaka Electric Supply Authority (DESA) in corruption, the committee suggested transferring those who were working 15 years or more in the same station. DESA chairman informed the committee that almost all of them have been transferred to other places (BJS, 2006b: 66). Upon the recommendation of the committee, DESA suspended two employees for their involvement in stealing a transformer (BJS, 2006b, 92). In another case, the concerned ministry took action against four or five persons finding irregularity in the construction of a gas line at Savar, Dhaka ((BJS, 2006b, 49).

Standing committee on the Ministry of Communication discussed a number of corruption cases. Upon the recommendations of the committee, an engineer was suspended due to misappropriation of Tk. 13 crore (equivalent to \$18 million approximately) (BJS, 2006c: 48). Upon the recommendation of the standing committee on the Ministry of Health and Family Welfare, the ministry: (a) attempted to transfer those doctors who worked in the same place for three years or more (BJS, 2006d: 206), and (b) took legal action against a health worker in the Tangail District (BJS, 2006d: 215).

Similarly, the financial committees were also active in the eighth JS. Among the three financial committees, the PAC appeared to be active in enforcing parliamentary accountability. One prime function of the committee is to examine whether government offices spent money in accordance with the laws. The audit department, as a rule, conduct yearly audits and its report describes, any deviation, it finds. The committee works with the irregularities through elaborate discussion of audit objections. The committee disposed of 149 audit objections raised against 15 ministries or departments in its first 25 meetings and due to committee pressure Tk. 63.77 crore (equivalent to \$88

million approximately) has been recovered to the exchequer and 61.66 crore (equivalent to \$84 million approximately) has been adjusted (BJS, 2005: 5). Through detailed discussion of audit objections, the committee also investigated a number of corruption cases and took decisions the committee deemed fit. The committee directed the Ministry of Health and Family Welfare to dismiss officers involved in the purchase of overly priced materials by different civil surgeon offices (BJS, 2005: 7). Upon receiving the committee recommendation, departmental actions were taken against 47 persons for their involvement in the purchase of some materials by the five civil surgeon offices (BJS, 2005: 191).

To carry out its assigned mandate, the PUC attempted to discover irregularities or lapses in public institutions. For this purpose, it conducted 34 intensive meetings with various government departments between May 2003 and October 2005, and made 81 decisions after vigorous scrutiny of the irregularities and corruption of the departments. Following its recommendation, DESA disposed of 1422 audit objection (BJS, 2006e: 6).

Thus, the impacts of some committees are clearly visible. Committees were successful in enforcing accountability in those cases where party intervention was absent. Parties did not interfere in those cases where bureaucrats were involved in corruption. The conflict between the bureaucracy and politics is not a new one in Bangladesh. Both have historically blamed one another. As a supra system and higher authority, politics is in a better position to exercise control over bureaucracy. Almost all the financial committees and standing committees of the eighth JS were critical of the bureaucracy. The PAC, for example, in its second meeting, criticized ministry officials as they failed to answer a committee query (BJS, 2005: 55). In one meeting, when the concerned secretary could not attend, he later had to give an explanation and apologize (BJS, 2005: 324). The chairman of the PAC mentioned that the committee was successful because of non-interference of the parties in its activities (Rashid, 2007).

#### *Interference of party politics and failure of committees*

The above examples, however, are not exhaustive and these do not necessarily mean that committees were successful in all cases. Like many other majoritarian democracies, for example Japan, political parties exert control on the MPs and intervene in the parliamentary business in Bangladesh. Several examples can be introduced in this regard.

The standing committee on the Ministry of Communication discussed allegations of corruption in import and distribution of compressed natural gas auto rickshaws, which caught the public attention at that time. The committee took a tough stance on the issue and formed two sub-committees. One was headed by Nadim Mustafa from the Treasury Bench to investigate the alleged corruption in importing compressed natural gas three-wheelers and awarding route permits. The other was headed by Mahamudul Huq Rubel also from the Treasury Bench to investigate the



allegations relating to the leasing of government land to businessmen for setting up of compressed natural gas refueling station. The subcommittees were formed in January and February 2004 respectively and given one month to submit their reports. Unfortunately, even though they were granted five extensions to submit reports, they were unable to do so before the end of the eighth JS. The chairman of the committee was reportedly criticized by the highest level of the ruling party for playing an active role in the matter (*Jugantor*, 2006). The committee chairmen, in an open discussion, held in 1 March 2005, organized by Strengthening Parliamentary Democracy Project, informed that his committee came up under pressure from the high-ups of the ruling party when it began to probe irregularities and corruption of the ministry (Alamgir et al., 2006). It was suspected that one of the key policymakers was involved in the corruption.

The parliamentary standing committee on Private Members' Bills and Resolutions of the eighth JS also sees active party intervention in its activities. The committee passed 15 private members' bills and sent to the speaker for placing the bills in the House (*Daily Star*, 2005). The speaker sent a letter to the law minister seeking his recommendations on the bills instead. On 3 February 2005 the law minister recommended that the speaker needs to get the prior approval of the leader of the House before placing any private members' bill. The committee denounced "interference" by the speaker and the law minister in its affairs and blamed them for making the committee dysfunctional.

The above examples show that committees failed in those cases where the party interfered in their activities. The standing committee on the Ministry of Communication failed to identify the corrupt persons involved in imports and distribution of compressed natural gas auto rickshaws due to the interference from the highest level of ruling party. The party interfered in the committee activities because it was suspected that one of the key policymakers was involved in the case. The standing committee on Private Members' Bills and Resolutions also faced party intervention because private member's bill may appear incompatible with the interest of ruling party.

#### *Non-participation of the opposition and influence of party on the MPs*

Non-participation of the main opposition in committees for the first two years of the eighth JS can be explained by the influence of party politics. As previously alluded to, the main opposition did not attend the committees which caused delays in constituting committees in the eighth JS. There are some devoted and sincere veteran politicians and parliamentarians belonging to the party who would be willing to be involved in the committees from the beginning. However, their ability to make a large contribution to the development of participatory democracy in Bangladesh is limited by internal party dynamics and inter-party politics. As the opposition party decided not to cooperate, those veteran parliamentarians from the opposition refrained from cooperating in the ruling party to form committees.

### **Party Intervention and Limits of Parliamentary Effectiveness**

Theoretically, in a more party-oriented electorate, party cohesion becomes profound in the parliament (Cox, 1987; 143). If party cohesion dominates the legislature for an extensive period of time, the House and its committees may become extraordinarily weak (Shaw, 1998: 247). Strong party control may have the following effects: (a) party control may reduce the role of parliament in policy-making; (b) party control may influence legislative-executive relations; (c) party control may act as a deterrent to build bipartisanship; and (d) party control may hinder the professional development of the MPs (Rahaman, 2006-2007: 17-21). The aforementioned effects altogether ultimately destroy the future of parliamentary democracy.

#### *Party influence and rubber stamp parliament*

Strict party control is inherently a major source of problems associated with legislation. When the MPs of the majority party follow party directions in speaking and voting in the House and committees, once the cabinet approves the bill, its approval in the House becomes almost a foregone conclusion. Bangladesh is a glaring example in this regard. The eighth JS passed 185 bills of which, with the exception of one, were government bills, which shows the widespread dominance of government over parliament. Theoretically, the more cabinet dominance, the fewer legislatures supremacy reveals and vice-versa. In the passage of 185 bills, parliament showed no lively constructive discussion in the House. The ruling MPs usually praised the bills and the opposition criticizing them to no avail. They did not seek a bipartisan consensus on the bills for the country as a whole.

#### *Party influence and imbalance executive-legislative relations*

A balanced executive-legislative relationship is vital for strengthening the role of parliament. King (1976) identifies a number of modes of executive-legislative relations of which the intra-party and the opposition mode are considered politically significant. In the case of intra-party mode, government backbenchers are the most important members in the House. Ahmed has written, "The more government backbenchers are willing to dissent from the government and its policies, the more likely is the prospect of parliament being assertive" (1997: 71). Generally, the Bangladesh JS shows that backbenchers follow the party line because their future depends on party prospects and, of course, constitutionally they are bound to follow the party line in the House. In the eighth JS, the backbenchers did not go against party directives either in the House or in the committees nor did they criticize any cabinet bill or policy stance of ruling party. In lieu of protesting party direction, the backbenchers took a leading role to bring down then president AQM Badrudozza Chowdhury whose activities were thought to go against the interests of the ruling party BNP.

### *Party influence and lack of bipartisanship*

A partisan atmosphere lessens parliament's capacity to resist, change, or block the executive branch's legislative proposals. A bipartisan atmosphere is more conducive for effective parliamentary activities than a partisan mode. Unfortunately, under strict party control, it is next to impossible to develop bipartisanship. Like previous parliaments, the ruling and opposition parties did not find anything positive in each other's proposals in the eighth JS. Both ruling and opposition parties should come forward to build bipartisan atmosphere. Regrettably, the voice of opposition in the Bangladesh JS is not given its due consideration. For example, no opposition amendments were accepted in the House (TIB, 2005). Moreover, no adjournment motions submitted by the opposition were discussed, greatly agitating the opposition and leading to the collapse of proper parliamentary business due to their subsequent boycotts of the sessions (Rahaman, 2008: 50). Ahmed said, "Unlike other democratic systems, where the opposition is at least listened to, if not always consulted, the government in Bangladesh generally looked upon the opposition with suspicion" (1997: 90). On the other hand, the opposition criticizes the ruling party whatever it does. Thus, proper parliamentary business is restricted by the confrontational parliamentary politics in Bangladesh (Rahaman, 2007)

Committees in the eighth JS, however, showed bipartisanship in few cases. For example, in one meeting of the Ministry on Power, Energy, and Mineral Resources, Sheikh Fazlul Karim Selim, who belongs to the opposition AL, first raised complaints against the implementation process of the Meghnaghat-3 electricity production project. Ilias Ali and Md. Nazim Uddin Alam, who belongs to the ruling BNP, supported him. In the case of SMC on the Ministry of Communication most of the members criticized the allegations of corruption in import and distribution of compressed natural gas auto rickshaw. Some backbenchers of the ruling party played an active role in various committees. They had much influence on party policy as they were close to the centre of power. On the other hand, the opposition was active because the more government incompetence, malfeasance, or corruption that is revealed, the better the opposition's chances of winning the next election. Thus, as a smaller body, some committees showed bipartisanship and produced unanimous decisions.

### *Party influence and lack of professionalism*

Theoretically, committees are capable of offering parliamentarians a variety of incentives and opportunities, such as encouraging them to build up a more specialized knowledge in policy areas (Emy, 1978: 406). The extent to which MPs find committees a useful mechanism depends on the extent to which they are allowed to engage in free discussion in committees. If they are given freedom, they would be encouraged to concentrate more on the policy issues, spontaneously expressing their opinion regardless of whether it corresponds to the party position or not. As a result, the process helps build an internal spirit of confidence, and makes the legislators more willing to be involved and take risks in the process. Professionalism means that the legislators are passionate

about their parliamentary activities and free to decide what is best for the nation.

Due to party influence, most of the MPs can not show professionalism. Several instances can be cited here. The average number of working days of the MPs in the eighth JS was 164.86, which means almost half of the MPs were absent from the parliamentary sessions.<sup>1</sup> On average, about 59% members attended the committees of the eighth JS.<sup>2</sup> Unfortunately, none of the committees could show full participation of the members. According to table 3, committees in the eighth JS hold on average 8.63 meetings a year (per committee). But the Rules require that committees meet at least once a month. An irregular committee cannot be presumed to be an effective tool of parliamentary oversight. Committees show even worse performance in submitting reports. On average, committees submitted 0.98 reports and 10 committees did not produce any report. It is unacceptable and undesirable that a committee spends taxpayers' money but produce no result.

Table 3: Performance of the Standing Committees in the Eighth JS

Criteria	Eighth JS (2001-2006)
Total committees	48
Total committee meetings	1242
Average number of meeting (per committee, per year)	8.63
Total report submitted	47
Average report submitted (per committee)	0.98
Committees did not produce any report	10

Source: BJS, committee Section 2 (Dhaka, Parliament Secretariat, 2006).

In the eighth JS, the Estimate Committee formed ten subcommittees to inquire into irregularities of various government ministries and departments. In the end, five subcommittees submitted reports to the EC but five others did not. The submission of reports by the five sub-committees was without impact, as these were not discussed in the committee. Interviews with a committee officer reveal that the committee had much time at hand but lacked the willingness to discuss the reports despite having commissioned them.<sup>3</sup> Moreover, the committee stage provides a significant opportunity for scrutiny of bills. Disappointingly, there were no substantive policy changes and these amendments were limited to inclusion or exclusion of a few words or lines.<sup>4</sup>

<sup>1</sup> Information has been collected from the parliament secretariat, Dhaka. Calculations have been made by the author.

<sup>2</sup> Based on 268 meetings conducted by 39 committees. In the case of six sample committees, the number includes their total meetings, but in other cases, the number includes only some of those meetings conducted in 2004. Calculations have been made by the author.

<sup>3</sup> A committee official of the parliament secretariat who wished to remain anonymous, interview by author, July 3, 2007.

<sup>4</sup> Based on 10 sample bills of the eighth JS.

### *Party influence and demise of parliamentary democracy*

The above examples are enough to show both the lack of professionalism of MPs and the failure of the eighth JS to discharge its functions properly. As a result, the parliament failed to ensure the accountability of the public representatives in both monetary and non-monetary terms. After the January 11, 2008, many parliamentarians in Bangladesh were arrested and more than a dozen were convicted by the courts due to corruption. The parliament either had no time to discuss issues of major corruption where political representatives were involved or ignored these as these seen to go against the party interests. Moreover, the parliament also failed to make the parliamentarians responsible and accountable for their deeds to the electorate. As a result, the two major political parties confronted each other in a way unseen before, causing the failure of conducting the ninth parliamentary elections timely. As a result, incremental progress of parliamentary democracy discontinued.

### **Source of Party Control on the Parliamentarians**

This section identifies the possible sources of party control on the MPs in Bangladesh. Three main sources are the following: (a) constitution; (b) party organization and patrimonial party politics; and (c) nature of electoral politics in Bangladesh.

#### *The constitution*

Bangladesh is the most extreme case where, constitutionally, MPs have been placed under an all-pervasive party control. They cannot cross floor or go against party decision in the House due to article 70 of the constitution which states: “A person elected as a Member of Parliament at an election at which he was nominated as a candidate by a political party shall vacate his seat if he resigns from that party or votes in Parliament against the party” (GPRB, 1998: 23). It is a paradox that the Constitution of Bangladesh, which should be the most inspiring source of parliamentary democracy, places the MPs under strict party control and thus limits their political freedom in the parliament. Moreover, arguably this sounds like the will of the people who vote for the person and not the party at an election is trumped by party interest for parliamentary supremacy, saying little of course for the concept of representative democracy.<sup>5</sup>

Some political scientists argue that the article is important for stability of parliament. It is noteworthy that the article was included in the constitution based on a bitter experience during Pakistan period. Due to frequent floor crossing, Pakistan saw six governments between 1955 and 1958 (Chowdhury, 1980). As a result, Pakistan experienced huge instability in parliamentary

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<sup>5</sup> Though the ballot has the name of the candidate and not the name of the party, it is probably correct to say that people tend to vote for a political party more than the candidate.

government. To negate this instability in the newly independent Bangladesh, this article was proposed for including in the constitution of 1972. The article did not raise any criticism during that time, however, now it is seen as a deterrent to the independence of individual MPs. Moreover, the influence of money in the Bangladeshi politics may prove that the article can not safeguard against floor-crossing of the MPs. It was rumored that in April 30, 2004, some ruling MPs decided to cross the floor and bring down the government, taking bribes from the opposition party. If true, the article would not be sufficient to keep a government in power. Very recently, one expert parliamentarian of the AL demanded the cancellation of the article arguing that due to this article, parliament has become the place of praising only the leaders of parties by the fellow MPs (*Prothom Alo*, 2008).

Moreover, constitutionally, the prime minister of Bangladesh holds extensive powers. He decides who will be a cabinet member. The tenure of a cabinet member depends on the will of the prime minister, and as a result, a cabinet member rarely opposes the wishes of the prime minister. There is no power balance between the prime minister and the president. The president is the ceremonial head of the country who acts upon the advice of the Prime Minister. The prime minister holds both the party presidency and the leadership of the ruling party in the House. Using these twin posts, he influences party behavior in the House to a great extent. Above all, constitutional provisions for complying with party positions by the lawmakers tremendously affect parliamentary control on the party parliamentarians.

#### *Patrimonial party politics*

The AL, BNP, Jatiya Party (Ershad), and Jammāt-e-Islami Bangladesh are the four major parties in Bangladesh. Patrimonialism is the predominant culture of party politics in Bangladesh, especially in the BNP and AL. For example, after Sheikh Mujibur Rahman's death Sheikh Hasina became the head of the AL and Khaleda Zia of the BNP after Ziaur Rahman's death. Both leaders inherited the office of the party chiefs through patrimonial party politics and still hold the positions. Moreover, the peoples' emotional attachment to the founding leaders of both parties has helped them to hold on to their positions as party chiefs.

They exert control on the party politicians by constituting patron-client relationships. The organizational hierarchy of the major political parties parallels the administrative hierarchy of the government-division, district, and thana levels. In a hierarchical organization, such patron-client relations perpetuates through a reciprocal system, where followers work for their superiors or patrons with a view to gaining benefits and patrons provide material benefits or opportunities not just if they arise--they expect patrons to make the opportunities.

Party decisions are highly centralized and the leadership has been manipulated in the hands of the party chief. As party decision is highly centralized and local and national party associations are loyal to central leadership, the leadership acquires effective control over their MPs and rank-and-file

politicians. To sum up, the career prospects of politicians, by and large, depend on the chiefs. Therefore, party workers, as a rule, do not dare go against their chiefs. Their vast influence and control on the party politicians has been best described by Ahmed when he wrote: “These two leaders are not always elected by their party’s rank and file, nor do they owe any responsibility to them. Both appear to function outside of the control of their parties; the lack of internal democracy seems to have granted them a power close to omnipotence...everyone is expected to follow the lead of the supreme leader without seeking any clarification. Those who refuse to abide by the despotic decisions of the leadership risk suspension or expulsion and, in extreme cases, may lose their membership in the parliament” (Ahmed, 2003: 72). It is noteworthy that after January 11, 2008, some party politicians were vocal on reform in the parties, in the wake of the imprisonment of the chiefs of both AL and BNP. However, the influence of the chiefs is still clearly visible in the parties.

*Nature of electoral politics*

Political parties are important variables of parliamentary effectiveness. Mayhew (1974:18) argues that they are the prime movers in electoral politics. Similarly, Cox has written “Electoral organization is dominated by the parties rather than by individual candidates, and it is for parties rather than individual candidates that British voters are generally thought to vote” (1987: 3). In Bangladesh are highly party-centric.

To understand better how electoral politics and party system in Bangladesh put the MPs under their control this paper uses Carey’s and Shugart’s electoral formulas to measure party control through scoring ballot, pool, and votes, as seen table 4. As per their electoral formulas, when ballot=0, party leaders control nominations, leaders have maximum control over ballots, and voters

Table 4: Scoring Ballot, Pool, and Votes

Score	Ballot	Pool	Vote
0	Leaders present a fixed ballot, voters may not disturb it	Pooling across the whole party	Voters cast a single vote for one party
1	Leaders present a fixed ballot, voters may not disturb it	Pooling at sub-party level	Voters cast votes for multiple candidates
2	Leaders do not control access to ballots, or rank	No pooling	Voters cast a single vote below the party level

Source: Hojn M. Carey and Matthew Soberg Shugart, “Incentives to Cultivate a Personal Vote: A Rank Ordering of Electoral Formulas” *Electoral Studies* 14 (1995): 417-439.

choose among parties rather than from individual candidates per se. The nomination in Bangladesh is decided in a central committee of the parties where the chiefs play the most influential role, even

though these days constituency opinion is taken into account. Through the nomination process, central leadership exerts control over candidates. When vote=0, voters cast a single vote for one party. As Bangladesh follows a single-seat system, theoretically voters should vote for the person and not the party but practically speaking, they vote for party and rarely opt for individual candidate. In this situation, party reputation is high and a candidate generally adheres to his/her party's election manifesto. For all practical purposes, without party endorsement, an individual's chances of winning an election as an independent is almost negligible, this greatly puts supporters under strong party influence.

Those who contest and win election with party tickets, they abide by the decisions of parties for their future prospects. The speaker is the chief man of agenda-setting in the House following the Rules. In many established democracies, the speaker resigns from the party after being elected speaker and maintains neutrality. In Bangladesh, he is loyal to the ruling party as he has been elected from that party and retains his membership even after he assumes office. Thus, the party or party chief can control the agenda of the House through him. The opposition in Bangladesh regularly complains that the speaker of parliament is not neutral and acts as a member of ruling party.

One way of breaking the party monopoly is for candidates to develop individual reputations distinct from those of their party. Furthermore, it is the electoral rules that outline the extent to which individual politicians can benefit electorally by developing personal reputations distinct of those of their parties (Fenno, 1978; Jacobson, 1990). For example, individual reputation is least important under a closed list system where parties' voters are allowed to choose candidates among parties. Bangladeshi electoral politics, however, is congenial to build individual reputations but politicians could not avail the opportunity. Because of the lack of political consensus and lower rate of literacy, majority of the people have been hypnotized by the major two parties. It has, thus, become difficult for politicians to build individual reputations and win an election.

## **Conclusion**

This paper examined the behaviour of the eighth Bangladesh JS. It proposed that party control reduces the effectuality of the JS and inhibits the maintenance of parliamentary democracy, and found that the evidence supported this hypothesis. Due to strong party control, parliament became the rubber stamp of the cabinet. Committees failed to ensure the accountability of public representatives where party intervention was high. Due to constitutional barriers, the ruling and



opposition parties failed to build a bipartisan atmosphere in the parliament, and instead consistently confronted each other. The pervasive party control on the parliamentarians stood in the way of building professionalism in them and ultimately was responsible for the low turnout of MPs in the House and committees, low enthusiasm, and the irregularity of committees in producing report and meetings. In the wake of parliament's failure to ensure responsible behaviour of MPs, Bangladesh failed to conduct ninth parliament election scheduled to be held in early 2007, and the incremental progress of parliamentary democracy has been stalled.

The sources of party control are mainly three: constitution, electoral politics, and patrimonial party politics. As explained in the paper, article 70 of the constitution actually prevents MPs voting against the party and party directives. Electorates in Bangladesh vote for candidates, not the party. Therefore, MPs should be accountable to their electorates not to their parties. Under the prevailing condition, although parties take a wrong decision, MPs are required to support their parties, which may be unacceptable to their voters. Electoral politics and patrimonialism also gave the parties considerable control over the MPs. In the party-oriented electoral system in Bangladesh, party leaders have considerable control over the party's decisions in nominations of candidates in parliamentary elections. Therefore, party members who aspire to contest for parliament elections must stick to party decisions.

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