BIISS JOURNAL, VOL. 28, NO. 1, JANUARY 2007: 29-44

Ian Holliday, Ahmed Shafiqul Haque and Taiabur Rahman

PREVENTIVE DEMOCRACY IN SOUTH ASIA: PARLIAMENTARY GOVERNMENT IN BANGLADESH, INDIA AND SRI LANKA

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Abstract

In *Fear's Empire*, Benjamin Barber holds that the sole alternative to the Bush administration's policy of "preventive war" is "preventive democracy." While looking around the contemporary world for potential sources of anarchy, terrorism and violence, the states characterized as the "axis of evil" in the Middle East and on the Korean peninsula appear to be on the lime light. However, there is a possibility that South Asia may prove to be a critical arena where intractable challenges of interdependence will have to be dealt with. It, thus, makes sense to look at the chances of entrenching preventive democracy in South Asia with a focus on the three regional states: Bangladesh, India and Sri Lanka. In doing so, we focused on the operation of the central institution of democracy in these states: parliament. We conclude with an analysis of the measures that need to be taken both by reformers in our three states, and by supportive external leaders and agencies. We argued that while all three parliaments are currently secure, none of them functions optimally, and all reveal differing degrees of fragility. To ensure their successful functioning in the years ahead, local politicians and global leaders

Ian Holliday, Ph. D., is Professor and Dean, Faculty of Social Sciences, University of Hong Kong. His Email address is: ian.holliday@hku.hk; **Ahmed Shafiqul Haque,** Ph. D., is an Assistant Professor, Department of Political Science, McMaster University, Canada. His Email address is: huqueas@mcmaster.ca; **Taiabur Rahman**, Ph. D., is an Associate Professor and Chair, Department of Development Studies, University of Dhaka. His Email address is: taiabur_rahman@yahoo.com

should, therefore, develop strategies for strengthening them. If Barber is right, the future of global politics could depend on the success with which such strategies are conceived and implemented.

Introduction

In *Fear's Empire*, Benjamin Barber (2003) argues that nations seeking to confront the growing challenges of an interdependent world have "but two options: to overpower the malevolent interdependence that is terrorism by somehow imposing a global *pax* rooted in force; or to forge a benevolent interdependence by democratizing the world." More succinctly, he holds that the sole alternative to the Bush administration's policy of "preventive war" is "preventive democracy". This competing doctrine "assumes that the sole long-term defence for the United States (as well as other nations around the world) against anarchy, terrorism and violence is democracy itself". Strong democracy offers the only hope for a global order wherein the fundamentalist forces of Jihad would gradually fragment and decline, and finally, overwhelmed by the globalizing dynamics of the McWorld.

While looking around the contemporary world for potential sources of anarchy, terrorism and violence, the states characterized as the "axis of evil" in the Middle East and on the Korean peninsula appear to be on the lime light. However, in the longer term, there is a possibility that South Asia may prove to be a critical arena where intractable challenges of interdependence will have to be dealt with. The region is a queer amalgam of people and faiths. A bitter division on the basis of religion, race, language, caste and ethnicity make it a fertile ground for conflicts. Ethnically, South Asia is one of the great melting pots of the world and its racial diversity is perhaps the most complex to be found anywhere outside Africa. There are six main religions, *viz*., Islam, Hinduism, Sikhism, Christianity, Buddhism and Jainism, hundreds of languages (including local dialects) and scores of ethnic groups subdivided into countless ethnic tribes. Rarely is there a region with such a great diversity in religion, language and ethnicity. This coupled with the fierce competition among diverse groups for the scares resources and the failure of the ongoing process of socio-economic development in South Asia to address their competing needs generate rivalry, mistrust and conflict along the religious, linguistic, ethnic and other parochial lines.

This has sustained numerous conflicts, particularly violent ones, within South Asian societies. The same has also caused a number of wars among the South Asian states in the post-colonial period. This implies particularly to India and Pakistan, which, by now, have acquired nuclear capability. Bordering the region is Afghanistan, the country in which the Bush doctrine of preventive war was first played out, and in which it has yet to register a clear success.

If Barber is right to argue that preventive democracy is the only viable alternative to preventive war, and if that alternative seems worthy of pursuit as global leaders seek to secure the long-term future of the planet, it makes sense to look, in some details, at the chances of entrenching preventive democracy in South Asia. In particular, there are good reasons for looking at both the track-record and the future prospects of democracy in three states in the region that are currently democratic: Bangladesh, India and Sri Lanka. How secure is democracy in each of these states? How well does it function? What are its prospects in the years to come?

To address these and related questions, we focused on the operation of the central institution of democracy in these three states: parliament. Our analysis ranges across both external and internal aspects of legislative operations. In this regard, attempts have been made to probe onto the functioning of parliament and parliamentary committees. We begin by looking, in more details, at the argument that preventive democracy can offer a viable alternative to preventive war. We then turn to comparative analysis of the three parliaments, concentrating initially on the external aspects and then moving towards internal operations. Thus, the article begins with an exploration of preventive war and preventive democracy. Then it probes into the challenges of parliamentary government in South Asia with a focus on the context and operation. Finally, the article makes an attempt at evaluating the prospects for parliamentary government in South Asia.

Preventive War and Preventive Democracy

Debates about the nature of global conflict, and about appropriate response strategies and mechanisms, have been going on for many years. Barber's Jihad vs. MacWorld thesis that appeared during the mid-1990s has been a significant contribution to this debate. Samuel Huntington's contention (1996) that what we now face is a clash of civilization has

been another one. However intense these debates on Jihad vs. MacWorld may have been, the September 11, 2001 terrorist strikes on New York City and Washington DC transformed both academic and policy discourse on the subject. These developments have prompted the articulation of a preventive war doctrine by the Bush administration. In its formative stages, the doctrine was implemented in Afghanistan in October 2001. Subsequently, a more mature version of the doctrine formed the basis for US engagement in Iraq in March 2003.

At the level of policy discourse, aspects of the new doctrine were evident in speeches given by President Bush after the 9/11 strikes. Addressing a joint session of Congress and the American people on September 20, 2001, he promised to "pursue nations that provide aid or safe haven to terrorism". He warned that "Every nation, in every region, now has a decision to make". Further he declared emphatically that "Either you are with us, or you are with the terrorists. From this day forward, any nation that continues to harbour or support terrorism will be regarded by the United States as a hostile regime." In the State of the Union address delivered to Congress on January 29, 2002, he noted that "some governments will be timid in the face of terror." "If they do not act," he averred, "America will." He also used the occasion to make a personal commitment to US citizens: "I will not wait on events, while dangers gather. I will not stand by, as peril draws closer and closer." Speaking to West Point's bicentennial graduation class on June 1, 2002, he maintained that the US now had to adopt an offensive stance. Americans, he declared, should "take the battle to the enemy, disrupt his plans, and confront the worst threats before they emerge." Finally, he declared that in the war on terror, the maintenance of US security required "all Americans to be forward-looking and resolute, to be ready for pre-emptive action when necessary."

The new doctrine took a fuller and more settled form when it was incorporated into *The National Security Strategy of the United States of America*, released on September 20, 2002, precisely one year after the address to the joint session of Congress and the American people. Chapter III of the new strategy declared that "While the United States will constantly strive to enlist the support of the international community, we will not hesitate to act alone, if necessary, to exercise our right of self-defence by acting pre-emptively against … terrorists, to prevent them from doing harm against our people and our country." It

insisted on the point that is central to Bush's preventive war doctrine: "our best defence is a good offence."

Although the competing doctrine of preventive democracy is implicit in some of the contributions to global debate made at the United Nations and elsewhere, it has not been given such a clear political expression as the Bush doctrine. Rather, it is to be found chiefly in the writings of academics. Notably, Barber himself has long argued in favour of "strong democracy."

Parliamentary Government in South Asia: Context

Even in the three South Asian states now ruled by or through parliaments, the experience of democracy has not always been smooth. In Bangladesh, parliamentary government has been punctuated by military dictatorship. In India, it has been disrupted by emergency measures and, in Sri Lanka, it has faced the challenge of long-running civil war. In any analysis, then, the social underpinnings for democracy must be given serious attention.

The context of a parliamentary system is influenced by a number of factors including constitutional history, political and social environment. The leadership of the movement for independence in South Asian countries was provided by western educated liberal personalities, who followed constitutional means to replace British rule. South Asian countries were, thus, influenced by the British parliamentary tradition and most sought to establish a similar system immediately after achieving independence. However, subsequent developments within the countries and the sub-continent have played a role in contributing to further changes and adjustments in the system of government.

Norton and Ahmed listed a number of external and internal factors that influence the external and internal environment as well as the capacity of the legislatures. The external factors include political culture, external patrons, the constitution, administrative structure, the party and electoral system, and interest groups, while the internal factors include the chamber, party groups, committees, and members (Norton and Ahmed 1999: 3-8). They also play a prominent role in determining the context in which parliaments operate.

The Indian National Congress, the political party that led the movement for independence, had a number of British educated lawyers

among its leaders. The Indian Independence Act 1947, which provided the interim framework of governing for the new country, placed considerable emphasis on the constituent assembly which was assigned to function as the central legislature. It was also entrusted the task of framing the first constitution of India. Political developments and competent leadership have contributed to the emergence and sustenance of a democratic culture, with a brief stint of authoritarian rule for two years (1975-77). The military has been restrained and did not display a tendency to interfere with the political process.

India has a variety of political culture, which reflects the relationship between the citizens and political institutions. The ancient Indian tradition of village *panchayats* represented some form of representative council, and they co-existed with regional royalty. Subsequently, modern elected institutions took roots, but the traditional values have not been completely displaced. With the strong influence of religious institutions, the political culture in India has taken on a unique form with conspicuous impact of class, caste, language and ethnicity vying for centre stage.

Parliamentary democracy has a deeper root in Sri Lanka, because it was the first colonial territory in which elections under universal suffrage were held prior to independence in 1931, 1936 and 1947 (Silva 2004: 48). In 1946, Sri Lanka established a bicameral parliament consisting of the House of Representatives and a Senate, with the Governor General as a titular head of state. The 1972 constitution led to several changes including the adoption of a unicameral legislature and the replacement of the Governor General by a President, and the 1978 constitution established a semi-presidential system. Proportional representation was introduced for multi-member constituencies (Wagner 2001:699).

Thus, power was gradually shifted from a cabinet that was part of the parliament to an executive president who is elected independently and is not accountable to the legislature. In practice, the president usually ensures that the parliament enacts legislation favourable to him/her or their political party. In fact, the president cannot be criticised in the parliament due to standing orders. Welikala (2002:3) described the powers of the executive as “formidable” and its relationship with the parliament as “unequal”.

Wilson recognized the differences in race, language, culture, religion and caste in Sri Lanka, but explained that ‘expediency, if not necessity’

has compelled the leaders to seek accommodation of the different forces (1977: 281). The political culture in Sri Lanka has also been influenced by a contrast of traditional and modern values, and the function of an extremely strong executive exercising almost absolute control over all the key institutions.

The birth of Bangladesh was the outcome of a struggle against a strong executive that operated under Pakistan's presidential system of government. The party at the forefront of the liberation was pledged to establish a parliamentary system and the new constitution of 1972 was formulated accordingly. The experiment was short lived and was affected by authoritarian style of leadership and military intervention in the politics of the country. From the early days, the parliament faced frequent suspension or abolition and normal parliamentary activities remain unperformed. The political instability had a strong impact on the role and performance of the parliament.

In 1991, Bangladesh returned to a parliamentary democratic system in the wake of a mass movement that brought down a pseudo-military government. The re-emergence of mass political parties as critical actors in the political process and renewed emphasis on parliamentary system raised expectations of a strengthening of democracy. However, a high level of intolerance between the major political parties has rendered the parliament to a mere platform for propagating government views, while the opposition failed to perform the role expected of them. The trend of boycotting the legislature persists, and the institution is unable to perform effectively.

The political culture in Bangladesh is strongly influenced by the history of the country and its environs. There are contradictions between traditional and modern values, secular and religious forces, and understanding of the purpose and functions of the government. The overbearing presence and dominating natures of the majority party in the parliament distorts the objectives and there is practically no means of upholding the interests of the country as a whole. Deutsch (1972:312) warned that majority rule could "disregard reality, the rights of individuals and smaller groups, and the rights of the possible different majority of tomorrow against the perhaps transitory majority of the day". The political context in Bangladesh reflects the disadvantages of a democratic system that disregards the spirit of the ideology.

Parliamentary Government in South Asia: Operation

India, Sri Lanka and Bangladesh are currently experiencing several challenges. Following the adoption of parliamentary government, the three countries have achieved varying degrees of success in dealing with problems through actions of the legislature. The political systems and leadership patterns have been influenced, to a considerable extent, by history and traditions. Therefore, the operation of the parliaments continues to be guided by these factors.

The Indian parliament consists of the President, the Council of States (Rajya Sabha) and the House of the People (Lok Sabha). The President is elected by the members of an electoral college consisting of the elected members of both Houses of parliament and the elected members of state legislatures (only members of the lower Houses in case of bi-cameral state legislatures). The President of the republic is a figurehead, but he can exercise some discretion through the power to withhold assent to bills. The lower House enjoys a wide range of powers, and legislations are enacted after being endorsed by both Houses and the assent of the President.

The Indian constitution of 1950 established a full-fledged parliamentary system of government with a modern institutional framework. The electoral system made it difficult for the disparate opposition to win seats commensurate with the votes obtained, and that allowed the Congress Party to be the dominant participant in the legislature for many years (Kothari 1964), until the emergence of smaller parties holding the balance of power that resulted in coalition governments. Parliamentary committees have provided a sound platform to oversee the functioning of the government, and their effectiveness varies across sectors. Although some problems can be noticed, the operation of parliamentary government in India can be considered satisfactory.

In Sri Lanka, the exceptionally strong position of the President does impact on the nature of parliamentary government practiced in the country. The President holds the dual position of head of state as well as head of government. The powers include the appointment of the cabinet in consultation with the Prime Minister. The President appoints and dismisses cabinet ministers, including the prime minister, and even presides over cabinet meetings. The command of the armed forces is

vested in the office of the President, who usually holds crucial portfolios such as defence, finance or foreign affairs. More importantly, the President can dissolve the parliament one year after it commences, and may submit matters of national importance to referendum (Derbyshire and Derbyshire 2000). Thus, the political arrangements undermine the role of the parliament in formulating rules and making critical decisions.

Many of the activities of the parliament are aimed at further consolidating the strength of the President and the ruling political party as well as advancing the policies advocated by them. Since the establishment of the executive presidency in 1978, the role of the parliament has declined considerably (CPSU 2002). Baxter *et. al.* (2000: 341) expressed concern that as the President is in a position to control both the cabinet and the party, the parliament may be reduced to a rubber stamp.

As suggested, within the existing political framework, the parliament is virtually powerless and a member of the parliament opined that the institution does not really add any value to the nation. The National State Assembly of Sri Lanka has supreme legislative authority. However, the President and majority of the members have belonged to the same political party for the past 26 years, with the exception of 29 months. There is ample scope for the President to bypass the parliament. For example, the President has the discretion to submit to the public by referendum any bill which has been rejected by the parliament. Moreover, under a state of emergency, the President has the power to pass legislation without parliamentary consent. The power structure in the political system is reflected in the operation of parliamentary committees in Sri Lanka. Representatives of the ruling party occupy a predominant role and have the final word on most matters. Therefore, the operation of the parliament is affected by the uneven distribution of power that places the ruling party and its leaders in an advantageous position.

The operation of parliamentary government in Bangladesh follows a similar pattern, with the Prime Minister – the leader of the legislature and the head of government – wielding extensive power. The Prime Minister's Secretariat reportedly acts as the final arbiter in all crucial government decisions. Such concentration of power has generally rendered the parliament weak. The electoral system in Bangladesh has helped most governments assume power on the basis of manufactured

majority. It has also made the political system extremely competitive, and undermined the representation of the electorate to the parliament.

The Speakers of the parliament in Bangladesh display partisan inclinations, and this has hindered the normal operation of the legislature. The provision of the removal of the Speaker by a simple majority vote has pushed them to act in this manner. The relationship between the ruling and opposition parties has been adversarial in nature and it is a major obstacle to the normal operation of the parliament. Legislative decisions are seldom the product of debates and deliberations among the representatives of the people. The Prime Minister dominates the formation of parliamentary committees with the power of final approval of membership. With comprehensive jurisdiction and the authority to set their own agenda, the ruling party is able to impose its views and guide the operation of the parliament in Bangladesh.

Parliaments in South Asia operate according to the standard rules and procedures. Members are elected through a process and the rituals of parliamentary practices are observed. There are regular sessions and issues of importance are discussed. But there are variations in the impact of their operation. The Indian parliament has, so far, been the most effective in terms of representation of the electorate and making policy decisions. Even with a dominant party at the helm for a long time, regional parties and interests have been well served, thanks to the presence of an effective opposition. This may be attributed to the long tradition of democratic practices in India.

The Sri Lankan parliament is guided by extremely strong leadership from the country's President. Apparently, this feature affects the democratic spirit, although it allows a channel for representation of the public and an opportunity for debating important issues. The parliament in Bangladesh becomes captive to the party in power and the opposition has to resort to extra-parliamentary means for performing their role in representing their constituency and contribute to the operation of the government.

Parliamentary Government in South Asia: Prospects

Parliamentary government has operated in South Asia since most of the countries in the region achieved independence in the 1940s. The results are mixed. As suggested earlier, the role of democratic institutions

may be critical in preventing countries from falling into the trap of authoritarian or illegitimate government. Deustch proposed a 'yardstick of democracy' that included several elements: majority rule; equality; similar treatment for all individuals and small groups, including minorities; fair distribution of wealth, freedom, power and the satisfaction of health and other basic needs; opportunity for direct participation; freedom of speech, information and opinion; freedom to organize; constitutionalism and legality; and trust in the autonomy and spontaneity of individuals and small groups (Deustch, 1972: 312-13). Many of these areas are directly affected by the economic, social and political environment prevailing in a country.

In the case of South Asia, a number of threats need special attention. Generally, the weak state of the economy has been a common problem in most developing countries. A democratic system of government could be the best means of protection against increased economic inequality as there is scope for input by various parties representing the interests of different groups in the society. A vibrant democratic culture facilitates the interaction of the state with the international community, and contributes to economic development. India's long experience of democratic government has been an important factor in its steady economic performance, as well as a deterrent to violent revolutionary movements. Sri Lanka, too, has reaped the benefits of a democratic environment, and Bangladesh's late start is gradually demonstrating result. Both these countries have witnessed better economic growth and the prospects are bright.

Parliamentary government has been a useful means for mediating social conflicts in South Asia. India encompasses a wide variety of language, culture and regional features, and there has always been a potential threat of separatist tendencies among the units. But these issues were sorted out in the parliament consisting of representatives of the various units, and the threats were minimized. Although Sri Lanka has continued to experience a bitter ethnic conflict, the government has succeeded in maintaining order, while making efforts at devising a solution to the conflict through negotiations instead of adopting a confrontational approach to the problem. In the case of Bangladesh, despite the incidence of extreme poverty, significant progress has been achieved in social development, and the parliament has been a useful tool in facilitating them. In all three countries, the parliaments – in varying

degrees – have contributed to the process of governing by performing their basic functions, although the circumstances are far from ideal.

Not only have parliamentary governments helped in improving economic conditions, it has also contributed to considerable social changes. The parliaments have facilitated the introduction and implementation of various programmes that have, ultimately, resulted in higher literacy rates, increased per capita income and better standards of living. These outcomes have gone a long way in containing social disturbance and accommodating the various groups in the society. The biggest contribution of democratic arrangements has been the gradual establishment and consolidation of principles and practices that facilitate representation of different interests and constitutional transfer of power. The countries have promoted the values of tolerance, equality, participation and access. The combined effect of all these has been an environment that prevents the eruption of ethnic and sectarian conflict, and unconstitutional usurpation of governmental power.

The containment of political unrest is critical for South Asian countries. As the region lies between the geo-politically important areas of West and East Asia, there has been a high level of concern over its stability. The international community, in particular the United States of America, has been propagating democratic ideal in its campaign against anarchy, terrorism and violence. In this regard, the experiences of parliamentary governments in India, Sri Lanka and Bangladesh demonstrate positive results.

Based on these discussions, it is possible to comment on the prospects of parliamentary government in the region. It has been possible to govern a huge and diverse country like India due to the effective functioning of the parliamentary government. It has also been possible to manage various problems in Sri Lanka and Bangladesh. It is necessary to accommodate the various forces within the same system. While expressions of discontent with the government's activities and performance are manifested in different ways in the South Asian countries, the parliament remains a key institution for deliberation and decision-making on major issues.

Representative government has come to occupy a prominent place in the political culture as well as the expectations of the citizens. This is reflected in the rising level of participation in public affairs. Voter

turnouts in the national parliamentary elections in the 1990s in both Bangladesh and India were quite high. In Bangladesh, voter turnout in the parliamentary elections was 55% in 1991, 75% in 1996 and 76% in 2001 (Bangladesh Election Commission, 2006). In India, voter turnout in the national parliamentary elections was 56.93% in 1991, 57.94% in 1996, 61.97% in 1998, 59.99% in 1999 and 57.65% in 2004 (Election Commission of India, 2006). More citizens are exercising their voting rights and the number of political parties as well as institutions of the civil society is on the increase. At the same time, organized interest groups have become more active in pressing for demands on behalf of their constituencies. Reaction to the unsatisfactory performance of the government is expressed through demands for fresh elections and change, rather than unconstitutional or revolutionary means.

There is strong pressure in favour of parliamentary government from external sources as well. International donor agencies and sponsoring countries are openly concerned about the legitimacy of governments in countries to which they provide financial and technical support. In recent years, records of fair trade and labour practices as well as human rights have received more attention from overseas investors. Participation of South Asian countries in international trade and commerce is contingent upon adherence to international charters and conventions, and these usually push governments towards the adoption of a representative system of government.

There is a very strong demand for popular representative system of government. The long domination of the Congress Party in India, and concentration of power in the offices of the President (Sri Lanka) and Prime Minister (Bangladesh) have narrowed down the scope of meaningful participation and made the public quite uncomfortable. This is evident in the rapidly increasing interest in a vibrant civil society, which is expected to serve as a watchdog and valuable participant in the process of promoting and maintaining democratic ideals. Fraser (2003: 103) claims that "the emergence of parliamentary sovereignty and the consequent blurring of the separation between (associational) civil society and the state represent a democratic advance over earlier political arrangements".

As it seems, democracy has become order of the day at the global level. In the era of globalisation, the US and its allies are likely to create pressure on South Asian countries for further liberalization of their

economy and polity. In this regard, the ongoing process of democratization in South Asia based on the parliamentary form of government would continue to deserve significant attention, since it enjoys widespread support on the part of international community. Thus, the domestic political environment, emerging civic culture and the realities of operating in the international community indicate towards better prospects for parliamentary governments in South Asia.

Conclusion

Following the adoption of parliamentary government, the three countries have achieved varying degree of successes in dealing with problems through actions of the legislature. While expressions of discontent with the government's activities and performance are manifested in different ways in South Asian countries, the parliament remains a key institution for deliberation and decision-making on many critical issues.

The paper finds that broader socio-political contexts have largely determined the way parliaments have performed in these countries. Leadership, the degree of the institutionalization of democracy, and the efficacy and reasonable functioning of the major political institutions and parliamentary mechanisms also matter. Apart from providing legitimacy for the rulers to govern, parliaments in these countries have performed significantly the key tasks of representation, legislation, oversight of the executive and conflict resolution with varying impacts (Rahman, 2007). While all three parliaments are currently secure; none of them functions optimally and all reveal different degree of fragility.

Representative government has come to occupy a prominent place in the political culture as well as the expectations of the citizens. There is strong pressure in favour of parliamentary government from external sources as well. International donor agencies and sponsoring countries are openly concerned about the legitimacy of governments in countries to which they provide financial and technical support. In terms of external relations, the prospect of parliamentary government appears to be promising in South Asia.

Preventive democracy, as it is evident in this paper, has offered a better and viable alternative to preventative war and a strong and functioning parliament is at the heart of the advancement of preventative

democracy in the three states in South Asia. Slow but gradual move towards consocietal democracy from majoritarian one may diffuse internal tensions within the states, ensure stability and maintain friendly interstate relations in the region through dialogue, cooperation and engagement.

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