ASIAN STUDIES

Jahangirnagar University Journal of Government and Politics

Contributors

Bashir Ahmed	Professor, Department of Government and Politics, Jahangirnagar University, Bangladesh.
A.S.M. Firoz-Ul-Hassan	Associate Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka-1342, Bangladesh.
Dr. Md. Abu Saleh	Assistant Professor, Department of Political Science, Bangabandhu Sheikh Mujibur Rahman Science and Technology University, Gopalganj, Bangladesh.
Tarana Begum	Professor, Department of Government and Politics, Jahangirnagar University, Dhaka,
Dr. Hasibur Rahaman	Associate Professor, Department of Political Science, Bangabandhu Sheikh Mujibur Rahman Science and Technology University, Gopalganj, Bangladesh.
Mahmuda Akand	Associate Professor, Department of Philosophy, Jahangirnagar University.
Md. Ahsan Habib	Director (Deputy Secretary) Rajshahi Division, Department of Environment, Ministry of Environment, Forest and Climate Change, Bangladesh.
Nazia Arifa	Assistant Professor, Department of Political Science, Jagannath University, Dhaka, Bangladesh
Dr. Md. Riyad Siddiquei	Independent Researcher.
Md. Ikhtiar Uddin Bhuiyan	Associate Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka
Dr. Md Taufiqul Islam	Professor, Department of Social Science, American International University-Bangladesh, Khilkhet, Dhaka-1229
Dr. B M Sajjad Hossain	Assistant Professor, Department of Social Science, American International University-Bangladesh, Khilkhet, Dhaka-1229
Dewan Farhat Al-Jami	MSc., University of Technology Sydney (UTS), Sydney, Australia.
Tarana Begum	Professor, Department of Government and Politics, Jahangirnagar University, Dhaka, Bangladesh.

ASIAN STUDIES

Volume : 42

June 2023

Contents

The Implications of Indo-Pacific Strategies for Bangladesh
Challenges and Options

Bashir Ahmed[*]

Abstract

The Indo-Pacific Strategies (IPS) is still in development, and participation in something that does not yet exist is challenging. However, we notice that many things are common when we examine the Indo-Pacific region. There are distinctions between Chinese and American soft power. China's soft power manifests through constructing roads, ports, bridges, and schools, whereas the United States focuses mostly on military assets. Some fear that the region would fall victim to the Thucydides Trap, in which a rising state forces an existing power into a conflict that results in the demise of the established power. The Indo-Pacific will play a crucial role in the geostrategic and geo-marine strategic battle between developing nations; it elevates maritime thought in our strategic discourse and is a crossroads of geopolitics, geo-strategy, geo-economics, and geo-energy. As a result, the Indian Ocean has become the epicenter of all geostrategic strife. Bangladesh's location on the Bay of Bengal positions Dhaka at the epicenter of Indo-Pacific talks. The unfettered access of Bangladesh to the Bay of Bengal has attracted geo-political interest in recent years. In response, Bangladesh has moved its strategic focus from land-based to maritime, with the Bay of Bengal serving as its 'third neighbor,' displaying its recognition and dedication to the Indo-Pacific. Foreign capital specialists continue to see Dhaka's foreign policy via a geo-political lens despite Bangladesh assuming its role as an Indo-Pacific state. Bangladesh has opted to be a regional leader instead of joining the bloc. This context is vital for comprehending Dhaka's forthcoming Indo-Pacific perspective.

Key Words: Balance of Power and Economic Development; BRI; Geo-strategy; Indo-Pacific Strategies; Quad; Regional Connectivity.

Introduction

Dr. Gurpreet Khurana, the National Maritime Foundation executive director in Delhi, developed the diplomatic term "Indo-Pacific." This strategy was established in response to China's opening in the 1980s. In a 2018 interview with The Diplomat, Dr. Khurana stated that the phrase "Indo-Pacific strategy" (IPS) included two essential components. He viewed it as a geo-political construct on the one hand. According to him, the marine underbelly of the Indo-Pacific area should be viewed as a connected organism. He continued by stating that "Indo"-Pacific highlights India's significance and pre-eminence

---

[*] Professor, Department of Government and Politics, Jahangirnagar University, Bangladesh, Email: bashir@juniv.edu

as a state, but the term "Asia"-Pacific obscures India's significance and pre-eminence (Rahman & Semul, 2020).

Moreover, the Trump administration has given the Indo-Pacific strategy top priority. A closer study indicates that people-to-people connection and people-centred diplomacy were central to the Obama administration's Asia-Pacific policy. The National Maritime Foundation's executive director Dr. Gurpreet Khurana coined the term "Indo-Pacific" for usage in diplomatic discourse in Delhi. In a 2018 interview with The Diplomat, Dr. Khurana stated that the phrase "Indo-Pacific strategy" (IPS) included two essential components. He viewed it as a geo-political construct on the one hand. According to him, the marine underbelly of the Indo-Pacific area should be viewed as a connected organism. He continued by stating that the term "Indo"-Pacific highlights India's significance and pre-eminence as a state, but the term "Asia"-Pacific obscures India's significance and pre-eminence. These are his thoughts. This strategy was established in backwash to China's opening in the 1980s. Moreover, the Trump administration has given the Indo-Pacific strategy top priority. A closer study indicates that people-to-people connection and people-centred diplomacy were central to the Obama administration's Asia-Pacific policy (Bhattacharjee, 2020).

The IPS is a fledgling idea that has not yet taken form. Predicting the function of diplomacy in this circumstance would therefore be somewhat presumptuous. Diplomacy is unquestionably essential for managing interstate relations. China's expanding influence and Beijing's support plans are visible in the Belt and Road Initiative (BRI) shape. India will have an enormous effect on the Indo-Pacific region. The Chinese have efficiently utilized trade policy, investment policy, trade aid, enhancing regional connectivity, infrastructure investment, and banking and monetary policy. BRI is superior to IPS, which is still in development. BRI infrastructure consists of, among other things, roads, ports, bridges, energy connectivity, fiber optic connectivity, satellites, and digital connectivity. China has stepped up to meet the demand for infrastructure investment in the Asia-Pacific region, beset with problems that growing nations must address. Competing dollar for dollar would be challenging, but the Japanese have begun their projects. Asia's most prominent development donor is Japan (Rahman & Semul, 2020).

The Indo-Pacific region strategically will continue to have an impact on global politics. In some ways, it reinforces the prediction that the expanding Indo-Pacific powers of China, India, and Japan will rule the twenty-first century. India and China are rising as Asia's superpowers, with China aiming to spread its influence beyond its borders (Castro, 2017). Perhaps one of its manifestations is the Maritime Silk Route. Look East Policy of India has evolved into the Act East Policy. There is a power struggle going on. The term "Indo-Pacific" refers to all of these instances. As a result, this new reality is only normal. However, another minority says this is unnatural and that the Indo-Pacific is a figment of China's imagination (The Daily Star, 2019).

In the context of South Asia, there are three levels of analysis: the influence of an Indo-Pacific strategy on South Asian politics and strategy in general, how this will be executed

in the context of China's BRI and FOIP led by the Quad, and the methodology (What methodologies and tools will be employed). Will port and heavy industry construction significantly connect the diverse Indian and Pacific Ocean coastlines? How will residents near the ports be impacted? Sometimes, the decision appears to be between jumping on the bandwagon. However, Bangladesh's foreign policy demonstrates that we have profited from both approaches, thus it may be premature to debate whether we have completely realized the promise of BRI or FOIP. We have endeavoured to keep communication with each of these parties (Rahman S. A., 2023).

Will this region now take on the traits of a distinct strategic region? How will the Indian Ocean Region's power politics evolve? Can the regional countries cohabit peacefully? Can the region be viewed as a united regional construct? What are the implications for the China-US rivalry and the ASEAN nations? Some flashpoints in the Indo-Pacific region need states to adapt their foreign policies. These are some questions to think about. There will not, in my opinion, be a single strategic structure. The region's sheer size impedes cohesion, and there are numerous potential flashpoints. This article aims to look at the implications of Indo-specific policies and the difficulty in finding the best geo-political options for Bangladesh to consolidate its national interests in South Asia. Based on a study of the documents, the content has been provided.

Indo-Pacific Strategies: Theoretical Framework

Sea power theorist, Julian Corbett narrated that sea power is not always about what occurs at sea, but about the consequences of sea power's effect on land: "Since men live upon the land and not upon the sea, great issues between nations at war have always been decided – except in the rarest cases – either by what your army can do against your enemy's territory and national life, or else by fear of what the fleet makes it possible for your army to do" (Corbett, 1918: 67). The sea's dominion has long been at the core of geopolitical debate. Even now, the relevance of ocean-centered global dialogue is rising, not decreasing. In recent decades, the newly established Indo-Pacific phrase has begun to emerge as a worldwide political force. There are several examples of sea power being crucial to global politics and influence dating back to ancient times.

The ancient age bears witness to the importance of maritime power. Oceanic activities have acquired awareness and played a crucial part throughout the history of human activities and existence. The Bronze Age Minoa (c. 2000-1420 bce) acquired prominence as a marine power and the first thalassocracy. As a result of having sea power, the Greek city-states were able to save themselves from Persian domination. In the Peloponnesian wars, Spartan allies was able to protect themselves against Athens' fleet in the same period. Another example is Roman Navy, which gained its supremacy over its rival Carthage in the Punic Wars (264–146 bce) (Bradford, & Bradford, 2022: 1).

From the time of John, I (1385-1433), Portugal grew as a state that operated the exploration of many countries, particularly Africa, and subsequently the Spanish Navy emerged as a sea power state between 1475 and 1492. That year also happened to be the

year of Christopher Columbus' first trip to the Americas. Portugal and Spain formed the first big marine empires during the following century. Between 1618 and 1648, Europe was engulfed in the Thirty Years' War, and the Treaty of Westphalia established an enduring Great Power System in which five nation states—Russia, Austria, Prussia (Germany after 1870), France, and England (Great Britain after 1707)—played prominent roles. The idea was to establish a "balance of power" that would avoid future complete conflicts like the Thirty Years' War.

Theoreticians arose over time to construct naval force doctrines, proposing theories and plans to retain the maritime superiority of the United States of America, Britain, and Europe, and debating theories. Mahan, known as "the father of modern naval history" (Moll, 1963: 131-140.), was one of them. He took a historical approach to the examination of sea power rather than a theoretical one in order to construct generally applicable norms (Albrecht, Tsetsos & Grunwald, 2020: 1-17). The influential book "The Influence of Sea Power Upon History" by Alfred Thayer Mahan explained his ideas on the importance of naval might in determining international affairs.

By controlling seas and naval routes, especially those important routes that are used as most for trade, commerce and transports will facilitate the country. Strategic arrangements and position will lead an economic prosperity and develop of a country. Even control over the seas and sea routes sustain the security and economic growth of a country. Alfred Mahan's Sea power theory, which emphasizes that maritime dominance was crucial for a nation's political and economic prosperity (Mahan, 2020). Mahan's philosophy basically said that: (1) The United States ought to be a world power; (2) Control of the oceans is required for world power status; and (3) The means to retain such control is by a potent Navy (Manship, 1964: 15-30).

According to Mahan, an undivided navy may achieve victory at sea by concentrating its forces appropriately (Gough, 1988: 55-62). This concentration of fleets, according to Mahan, is the most essential tool of naval warfare. The battle fleet's primary way of exercising sea power should be concentrated fire on the opposing fleet (Paret, Craig, & Gilbert, 1986). However, under Mahan, Mackinder, and Spykman's geopolitical paradigm, it was viewed as a strategy for establishing maritime dominance for Anglo-American states and their allies by creating conditions in which no continental hegemon formed. According to Wu (Wu, 2018: 786-823), "The inextricable linkage between maritime supremacy and the continental balance of power constitutes the overriding theme of Mahan, Mackinder, and Spykman's geopolitical theories." For all three, the balance of power was not an abstract term that could be applied anywhere, but rather to a specific location: Europe before 1945 (for Mahan and Mackinder) and Europe and East Asia after 1945 (for Spykman) (Rossiter, 2021: 19).

Corbett was primarily concerned with the effectiveness of sea power during conflicts (Albrecht, Tsetsos, & Grunwald, 2020: 1-17). The seminal book "Some Principles of Maritime Strategy," by Julian Corbett, offered important insights into the strategic issues and guiding concepts that underpin naval operations. He sees command over the seas as

the main objective to establish naval influence and creating strategy that ensure naval trade and commerce, shatter enemy's trade and plan own power successfully. Command over the sea will ensure when a country effectively dominates over the sea as well as denies its enemy over the influence over the sea activities, especially for defensive measures or security purposes (Corbett, 2004).

Corbett classified maritime strategy into two types: major strategy and tactical strategy. This includes an examination of international relations as well as economic functions. The minor strategy, which dealt with the real aspects of battle, was the second. The planning and execution of army and navy operations (as well as joint actions) are addressed here (Gough, 1988: 55-62.). Corbett distinguished between maritime and naval strategy. In terms of organizing the mutual interactions between army and navy within a war plan, maritime strategy plays a superior function (Corbett, 1918). Corbett, unlike Mahan, believed that fleet concentration did not have to be a permanent element, and that battles at sea are waged via strategic combinations and decisions that necessitate a degree of flexibility and freedom of movement (Albrecht, Tsetsos & Grunwald, 2020: 1-17).

The book "The Geography of the Peace (1944)" by Nicholas Spykman was his major work in which he outlined his Rimland Theory. According to Spykman, the Rimland is the place that is most strategically important and if any country can establish control over the Rimland, it is the Heartland; can control access to land and land area. He opined that the maritime zone mainly acts as a buffer zone and will function as a central zone or force to maintain the balance of power. A state that is rich and powerful in maritime power can easily use his or her power to gain access to the sea and gain control over it and maintain its influence. Due to which they will establish control over the Heartland as well. Since, sea has been used as a major medium and route of world trade. Therefore, control over maritime areas would give powerful naval nations the opportunity to influence global affairs (Spykman, 1944).

The "Indo-Pacific Strategy" adopted by the United Nations and its allies is congruent with one of the dominant views concerning the interests and security of nations, namely the realism theory. Each actor's principal function is to maximize either its power or security in order to survive themselves or the states in the long run. Power and security are obviously important factors in accomplishing that aim (Richard, 2017). Realists see the world and the events that occur in it as a zero-sum game. The focus of actors is on relative gains (Albrecht, Tsetsos & Grunwald, 2020: 1-17). In a realist perspective, alliances and partnerships instead originate from the congruent concrete interests of two or more individuals at a particular time rather than from shared ideological grounds. To remain in a position of power and be able to respond to threats is the aim of both solutions (Richard, 2017).

The worldwide power in the globe is determined by sea power. Since Thucydides established thalassocracies as representatives of international power as a way to maintain the "balance of power," The naval armaments competition before the First World War and during the Cold War serve to underscore this realist understanding of maritime

power. In all instances, the parties concerned pursued the objective of amassing strong naval forces in order to be in a stronger position than their rivals in the event of assault. While democratic nations encourage collaboration among themselves based on shared interests that go beyond simple survival, liberal states are motivated by egoism. International anarchy is a topic that is discussed in liberalism as well (Albrecht, Tsetsos & Grunwald, 2020: 1-17).

As opposed to Realism, sea power in Liberalism should be regarded as a collective force that supports the advancement of liberal standards and cannot just be considered in terms of national interests. By controlling the oceans, maritime power gives the ability to safeguard marine common goods while promoting free commerce and liberalism. This is further demonstrated in a document released by US navy officials, which attests to the fact that US maritime power collaborates with others to advance prosperity and security (Corps, Navy & Guard, 2007). As a result, the Indo-Pacific region only began to garner geopolitical attention in the late 2010s as part of the post-clash of civilizations international order, primarily due to Australian concerns in the 1970s as previously indicated.

Although the term Indo-Pacific itself has existed for many years, it was thus with new "ideational forces" (Hijar-Chiapa, 2020: 78-93) and by virtue of a gravitational power that the Indo-Pacific rapidly emerged as "both a region and an idea" (Medcalf, 2020). The Indo-Pacific has significantly changed during the past ten years, both strategically and geographically, driven by the need to forge a common vision for achieving shared regional objectives (Mishra, 2019). The term 'Indo-Pacific' has been used for a long time in geographical arena but its political use is more recent. The Indian Ocean and the Pacific Ocean are included in the geographical term "Indo-Pacific" (Chen, 2018). Under the Obama administration's rebalancing policy towards Asia, the phrase "Indo-Pacific" was first used by the US government. However, under the administration, "Indo-Pacific" did not have a distinct and cohesive geographic description.

For instance, South and Southeast Asia was the geographic emphasis of the "Indo-Pacific Economic Corridor" program, which was unveiled by the US Secretary of State John Kerry at the US-India Strategic Dialogue in June 2013 (Haruko, 2020). Additionally, the "Indo-Pacific" was described as "the vast littoral arc stretching from South Africa to Australia" by the Assistant Secretary of the US State Department's Bureau of South and Central Asian Affairs in April 2014 (White House, 2017). These like-minded governments, which view the Indo-Pacific as a "strategic space" (Jimbo, 2019: 7-16), have developed policies that are gradually influenced by geostrategic thinking. Since 2010, it has steadily ingrained itself into the vocabulary of several nations' foreign policies (He & Li, 2020: 1-7), particularly those of Australia, India, Japan, and the United States (Chacko, 2014: 433-452). Hillary Clinton mentioned that the US was considering expanding its alliances with Australia beyond the Pacific to Indo-Pacific and even global (He, 2018: 149-161). In a public speech delivered in Japan in May 2013 (Bergmann,

2013), India's Prime Minister Manmohan Singh also used the term Indo-Pacific to describe the region (He, 2018: 149-161).

The Indo-Pacific has significantly changed during the past ten years, both strategically and geographically, driven by the need to forge a common vision for achieving shared regional objectives (Mishra, 2019). The term 'Indo-Pacific' has been used for a long time in geographical arena but its political use is more recent. The Indian Ocean and the Pacific Ocean are included in the geographical term "Indo-Pacific" (Chen, 2018). Since the start of the previous decade, the Indo-Pacific Region has gained the greatest international attention thanks to the United States' Indo-Pacific Strategy (IPS).

The ability and position of a country will create a position to influence over other states' diplomatic decision in favor of the country which has the position and influence over the seas and sea power. Also, such situation and position will lead the acquisition of national interests, creating alliances and preserve influence in the world stage. Alfred Mahan's Sea power theory, which emphasizes that maritime dominance was crucial for a nation's political and economic prosperity (Mahan, 2020). Mahan's philosophy basically said that: (1) The United States ought to be a world power; (2) Control of the oceans is required for world power status; and (3) The means to retain such control is by a potent Navy (Manship, 1964: 15-30).

The seminal book "Some Principles of Maritime Strategy," by Julian Corbett, offered important insights into the strategic issues and guiding concepts that underpin naval operations. He sees command over the seas as the main objective to establish naval influence and creating strategy that ensure naval trade and commerce, shatter enemy's trade and plan own power successfully. command over the sea will ensure when a country effectively dominates over the sea as well as denies its enemy over the influence over the sea activities, especially for defensive measures or security purposes. To conduct a war or establish a better position in warfare naval forces should work in line with ground forces.

The book "The Geography of the Peace (1944)" by Nicholas Spykman was his major work in which he outlined his Rimland Theory. According to Spykman, the Rimland is the place that is most strategically important and if any country can establish control over the Rimland, it is the Heartland; can control access to land and land area. He opined that the maritime zone mainly acts as a buffer zone and will function as a central zone or force to maintain the balance of power. A state that is rich and powerful in maritime power can easily use his or her power to gain access to the sea and gain control over it and maintain its influence.

The term "Indo-Pacific" is used by the United States as part of a rebalancing policy towards Asia, however there is no precise and comprehensive geographic definition of the word. Additionally, the Assistant Secretary of the US State Department's Bureau of South and Central Asian Affairs defined "Indo-Pacific" as "the vast littoral arc stretching from South Africa to Australia" in April 2014 (Jaiswal & Bhatt, 2021: 1-9).

Japan was the first country that advocated the 'Indo-Pacific' idea proposed by former Japanese Prime Minister Shinzo Abe in 2012 with its partnership with Australia, and India, in addition to The United States (the participants in the original 2007 Quadrilateral Security Dialogue, or "Quad") makes the famous "democratic security diamond" (Abe, 2012). In 2017, the idea was revived under the name "Quad 2.0." Abe's 2016 adoption of Japan's new "open and free Indo-Pacific strategy" is intended to emphasize the economic and security ties between Asia and African countries, especially in the infrastructure sector (He & Li, 2020: 1-7).

Since 2010, it has steadily ingrained itself into the vocabulary of several nations' foreign policies, particularly those of Australia, India, Japan, and the United States (White House, 2017). Under the Obama administration's rebalancing policy towards Asia, the phrase "Indo-Pacific" was first used by the US government (He & Li, 2020: 1-7). However, under the administration, "Indo-Pacific" did not have a distinct and cohesive geographic description. For instance, South and Southeast Asia was the geographic emphasis of the "Indo-Pacific Economic Corridor" program, which was unveiled by the US Secretary of State John Kerry at the US-India Strategic Dialogue in June 2013 (Haruko, 2020). Hillary Clinton mentioned that the US was considering expanding its alliances with Australia beyond the Pacific to Indo-Pacific and even global (Chacko, 2014: 433-452). In a public speech delivered in Japan in May 2013 (He, 2018: 149-161), India's Prime Minister Manmohan Singh also used the term Indo-Pacific to describe the region (Bergmann, 2013).

During Donald Trump's first trip to Asia as US president in late 2017 (He, 2018: 149-161), the phrase 'free and open Indo-Pacific' (FOIP) dominated headlines (White House, 2017). Indian Prime Minister Narendra Modi invited President Donald Trump to an Asia trip during which Trump used the term Indo-Pacific prominently. Then this term reemerged and was revived by the Quad countries' ventures (India, the US, Australia, and Japan). On several occasions, this term was repurposed as a new expression, such as "Free and Fair Indo-Pacific" by top Trump Administration officials, including former Secretary of State Rex Tillerson, as well as Abe's administration's Free and Open Indo-Pacific policy initiative (2016) (Jaiswal & Bhatt, 2021: 1-9).

The United States administration has been releasing a series of essential documents for some time (Paskal, 2021). The US Navy renamed its Pacific Command to Indo-Pacific Command. Many analysts referred to the name change as a strategic shift (US Government, 2017: 25). Which will shift America's focus from the Asia-Pacific to the Indo-Pacific (Ali, 2018). It added, 'A geopolitical competition between free and repressive visions of world order is taking place in the Indo-Pacific region.' One of the reasons for this is that over time, China is strengthening its position in the Indo-Pacific region and rearranging the power structure of the region by empowering itself militarily. By doing this, they are able to influence other countries' policies, foreign relations, and economies (US Department of Defense, 2019).

The US Indo-Pacific Strategy (IPS), which was published in February 2022, highlights the region's importance to core US interests and acknowledges the challenges posed by China (The White House, 2022). This version of the IPS differs from the one pursued by the Trump Administration. Under the Biden Administration, there is a greater emphasis on cooperation with regional allies and a recognition of the need to strengthen economic presence in the Indo-Pacific. To achieve this, an Indo-Pacific Economic Framework has been proposed, aiming to counter China's dominance in areas such as economics, technology, and foreign policy within the region (Atkinson, 2022).

Beijing has been actively pursuing military bases in the South Pacific and Indian Ocean regions, seeking to establish a strong foothold in the Bay of Bengal. This expansion has raised the geopolitical stakes in the Indo-Pacific region (Hardy, 2019: 265-280). Furthermore, the formation of the Australia, United States, and United Kingdom military and technology pact, known as AUKUS, has further heightened the significance of the Indo-Pacific region in terms of its geopolitical implications (Willian Choong and Sharon Seah, 2022).

BRI and FOIP: A Shifting Power Balance in the Indo-Pacific

Due to the shifting of the balance of power in the global process, the liberal order led by the USA has been under constant pressure to defend its position as the world order. It is insufficient to argue that the Cold War was merely a decades-long battle between the United States and the Soviet Union. Instead, the Cold War altered the international system, resulting in a liberal world order. But from the middle of the last decade, the growth of rival power blocs appears to have put US primacy in jeopardy (Layne, 2012). Because of the progressive income movement from the North to the South and their worldviews, the "emerging powers" have consolidated their places in the international system. One group supports the current global governance system, while the other wishes to alter the post-World War II liberal order because it is unjust to grow powers (Florini, 2011) (Terhalle, 2011). However, this research does not entirely picture the Indo-Pacific power balance. On the one hand, major rising powers such as India work together with other rising countries such as China, Russia, and Brazil in organizations such as BRICS and the G-20 to change the way the world is governed. On the other hand, India and the United States have come together in an effort to stop China from establishing a dominant position in this region.

The balance of power thesis asserts that China is the revisionist or challenger power to the current global process since China's emergence is viewed as an increasing threat to the unipolar world led by the United States, despite China's stated desire for a "peaceful ascent." The Free and Open Indo-Pacific Strategy (FOIP), another term for the Indo-Pacific Strategy, can therefore be viewed as a balanced response to China's "power transition" issues. Under this policy, the United States is balancing itself internally by increasing its military, etc., and balancing itself externally in the Indo-Pacific area by forging new alliances and bolstering old ones (Bhattacharjee, 2020).

Australia, India, The United States, and Japan have revived the Quad, a former international organization that no longer exists. They aim to establish a new dictation-based security and economic framework for the Indo-Pacific. Despite the organization's youth, it appears that the four democracies intend to use it as a counterweight to China's BRI projects. The "balance of power" theory explains why the United States is attempting to contain China, but it does not explain why Australia, Japan, and India are allied with the United States in the Quad since it assumes that weaker states will automatically ally to counterbalance the power that is already in place (Manicom & O'Neil, 2010). According to this viewpoint, Japan, India, and Australia must have balanced China against the United States, not the other way around. The "balance of danger" concept proposed by Walt aids in resolving this issue by providing four crucial ways to quantify "threat" from one state to another. The "balance of threat" idea considers a state's anticipated hostile intents in addition to its location, population, and military strength (Walt, 1985).

Why has The Indo-Pacific arisen as a regional framework for the US strategy?

As tensions between the US and China grew, the Obama administration refocused US efforts on the Asia-Pacific region to stop China from taking over the area. But after it was first announced in 2013 as One Belt, One Road (OBOR), BRI shortly became China's top geo-political priority. After the global financial crisis of 2007–2008, China became the world's most important financial centre. The Asian Development Bank (ADB) says that between 2016 and 2030, Asian economies will need to spend $26 trillion on infrastructure (Asian Development Bank, 2019). China made the BRI in response to the demand. It includes the Silk Road Economic Belt and the Maritime Silk Road Initiative (MSRI). Beijing has stressed that the BRI is not a threat to the current liberal international order, but rather an addition to it (MoFA, 2007).

The US Indo-Pacific vision is a government-wide plan to make the Indo-Pacific an open and free region where sovereign, independent nations can live in peace. The vision puts the economy, the government, and security at the top of the list. It comes from the fact that the US is an Indo-Pacific country with many connections to the area. The United States works with key allies like Bangladesh to protect and strengthen a rules-based system in the Indo-Pacific that follows norms like peaceful dispute resolution, liberty of navigation, an open and transparent investment climate, and government institutions that are held accountable (The Daily Star, 2019).

Bangladesh has many of the same goals for making the Indo-Pacific a more prosperous and safer place to live. Its strategic location and quickly growing economy put it in an excellent position to play an important role in the region. In order to reach this goal, the US has strengthened its long-term security cooperation with Bangladesh. But the US and its partners in the Indo-Pacific think China can be cocky because the BRI could be used as a key factor for economic statecraft to increase China's political dominance. For example, the BRI/MSRI umbrella programs have made China a power in the Indian Ocean, even though it doesn't have a navy that can operate in blue water or a group of

foreign bases. Beijing has access to partner governments' ports and naval facilities (Kostecka, 2011) (Brewster, 2017).

Consequently, some academics contend that the Indo-Pacific idea is not a logical extension of international power and economic redistribution from the North to the South. Another significant objective is accelerating private-sector-led economic growth, notably through US enterprises with a track record of supporting innovation and strengthening labor standards. In 2017, the United States' bilateral commerce with the Indo-Pacific area totalled $1 trillion. In addition, direct US investment in the region exceeded $940 billion, making the United States the largest foreign investor (Rahman & Semul, 2020).

Indo-Pacific Strategy: Bangladesh's Challenges and Handling Strategy

As the competition among major nations in the Indo-Pacific Region intensifies, the Bay of Bengal and its South Asian coasts are rapidly gaining economic and strategic significance. The Bay connects the Pacific and Indian Oceans, and its recent economic growth makes it an important link between East, Southeast, and South Asia (Haacke, 2019). Bangladesh participated in this regional economic achievement despite being a former colony with a relatively low economy. It did so because, by 2024, it hopes to transition from Least Developed Country (LDC) to Middle Income Country (MIC). The country's economic growth has been aided by the industrial sector's rapid expansion and a significant push to upgrade infrastructure (Rahman S. A., 2023).

Bangladesh doesn't try to define the Indo-Pacific region at the point where different parts of the world meet. By not calling the Indo-Pacific a "region," Dhaka's point of view makes things even easier to understand. In place of this, Bangladesh wants the Indo-Pacific region to be free, open, safe, inclusive, and based on international legal systems, prosperous for everyone (Kuik, 2016). By not going into detail about its physical limits and the laws that govern them, Dhaka tries to be as flexible as possible in the face of growing competition. This is shown by Bangladesh calling its policy position document a "outlook" instead of a "strategy." Even though it hasn't been released yet, people are looking forward to the Indo-Pacific Outlook of Bangladesh. Early accounts show that the book has two parts. First, Outlook will talk about where Bangladesh is in the Indo-Pacific regarding the opportunities and problems that its location brings. Second, the Outlook is based on three related ideas: security, connectivity, and long-term growth (Yasmin, 2023).

The GDP growth rate in Bangladesh will be the highest in this region, at 8% (Asian Development Bank, 2019). The Ready-Made Garments (RMG) sector has been critical to this expansion. In 2018, it supported over 4.5 million employments and accounted for about 80% of all Bangladeshi exports (Robinson, 2018). Foreign Direct Investment (FDI) is critical for Dhaka to diversify its exports and enhance its infrastructure to maintain its prosperity while moving up the industrial value chain. As a result, any significant power

clash or increase in competition among regional and global powers in the Indo-Pacific Region will significantly impact Bangladesh's progress (Rahman & Semul, 2020).

For Bangladeshi policymakers, SLOC in the Bay of Bengal and the larger Indo-Pacific maritime region is becoming more important from a strategic point of view. Around 82 percent of the country's international trade goes through these sea lanes. This includes exporting ready-made clothes and importing raw materials, as well as crude oil and liquid natural gas (LNG), which help Bangladesh's manufacturing sector grow (Karim, 2018). So, any convicted regional or global actor along these Indo-Pacific marine lanes threatens the country's goal of becoming a developed nation by 2041 and its security.

Bangladesh's foreign policy is best understood and interpreted through strategic hedging, a way of dealing with problems that many other South Asian and Southeast Asian states use. In the years after the Cold War, when international relations theorists saw that traditional tools weren't enough to explain how small and middle powers handled their foreign policy in a highly volatile and uncertain global environment, especially in the face of a rising power like China, hedging became popular (Rahman & Semul, 2020).

Bangladesh intends to maintain equidistance from this major power conflict and unwillingness to balance or bandwagon. Bangladesh's foreign policy heritage of neutrality informs Dhaka's stance in this great power struggle, as articulated by the Prime Minister of Bangladesh Sheikh Hasina: "Our foreign policy is very clear: cordial relations with everyone; what China and the United States are doing is between them" (Robinson, 2018). The majority of South Asian lesser states, including Bangladesh, have thus far maintained a reasonable distance from the balancing game of the major countries. In the absence of a clear adversary, however, simple equidistance may not be sufficient for these minor and intermediate powers in South Asia. As a result of rising competition between powerful nations in the Bay of Bengal, the Indo-Pacific Region, and its South Asian littorals are rapidly gaining strategic and economic significance. In addition to connecting the Pacific and Indian Oceans, the Bay links East, Southeast, and South Asia due to its recent economic success (Haacke, 2019). Bangladesh has participated in this regional economic achievement despite its colonial past and severe economic deprivation, as it aims to transition from the Least Developed Country (LDC) to Middle Income Country (MIC) by 2024. The country's economic growth has been boosted by rapid industrial sector growth and a significant effort to upgrade infrastructure.

With no obvious adversary in sight, Bangladesh's adoption of "Forces Goal 2030" in 2009 to modernize its armed forces can be regarded as part of the country's hedging strategy. The main goal is to build a "three-dimensional force capable of conducting multi-platform warfare" to preserve Bangladesh's marine space and resources in the Bay

of Bengal, which is gaining popularity due to the country's expanding industrial and energy sectors (Mushtaq, 2018).

Advancing Geo-political surface

Bangladesh's armed forces have been heavily outfitted with Chinese military equipment since the 1980s, making it the second-largest purchaser of Chinese arms, accounting for 19% of China's overall defense export. China remained Bangladesh's leading arms supplier between 2013 and 2017, accounting for 71 percent of the market, while Russia rose to second place, accounting for 16 percent of the market (Pubby, 2018). China has demonstrated a greater interest in defense cooperation with Bangladesh in recent years. It is possible that other large nations could soon follow suit. As a result, Bangladesh has begun to slowly diversify its sources of military equipment, making substantial acquisitions from the United States, Europe, and most recently India.

As part of its strategy to reduce risk, Bangladesh has said it wants to take part in a wide range of international forums that deal with connectivity, non-traditional security cooperation, energy cooperation, regional integration, economic development, and disaster management, among other things. Bangladesh's participation in international projects like BRI, BBIN-EC, BIMSTEC, and IORA has given it access to foreign direct investment, energy, and infrastructure funding, along with the regional cooperation and integration process, all of which are needed to keep its fast economic growth going. Also, these operations give Dhaka diplomatic flexibility as it navigates a changing political landscape in the Indo-Pacific (UNB, 2023).

Even though the Indo-Pacific Outlook hasn't been released yet, rumors have been going around about what it says because of recent media attention on Bangladesh's growing role in the Indo-Pacific. Observers in Bangladesh might think that the draft Outlook emphasizes the nutral position of Bangladesh and its primary and long-term interests in the Indo-Pacific, while some in the West might see a tilt toward the United States. In order to reach its goals for development, Bangladesh would rather keep equal ties with all regional and non-regional groups than become exclusive (Yasmin, 2023).

Maintain equal cohesion with all regional and non-regional actors instead of being exclusive in pursuing its development goals.

The future of Bangladesh will be "open to all." Even though this language is expected because of Dhaka's business ties, it is more likely that Dhaka looks at the Indo-Pacific from the point of view of its own economy and security, not as a political bloc. Bangladesh is now seen as a trading country instead of one that depends on foreign aid. This makes it harder for the country to understand and work in a world that is divided between the US and China. Bangladesh's importance in world politics makes it more valuable to both the US and China, as shown by their growing interest in the country. Bangladesh wants to be a high-middle-income country by 2031. It must work well with its neighbors and other countries to do this. The Indo-Pacific Outlook will not help Bangladesh's geo-political goals. This article will look at specific cooperation,

partnership, and inclusion issues in the Bay of Bengal to help bring about new marine opportunities there. So, Dhaka is in the best place to take advantage of its opportunities and reach its goals.

Conclusion

The "Asian Century," or the move of geo-political gravity to the Indo-Pacific, has brought both challenges and opportunities to the countries in the region. The desire to have a say in new alliances, defense, or huge infrastructure deals, as well as to set rules for this region, has led to a complicated web of security ties. Even though this was a huge power war, Bangladesh tried to keep a delicate balance and avoid anything that could be seen as favoring one side over the other. Article 25 of the Constitution outlines rules for keeping good relationships with other countries. These rules form the basis of Bangladesh's foreign policy. Article 25 of the United Nations Charter, for example, talks about the need to promote international peace by staying out of other countries' business and dealing with security issues in line with the Charter's international rules and principles.

Bangladesh was founded in 1971 as a small, independent country in the middle of a bipolar system. The country's constitution had to include neutrality to stay in the middle of the great power conflict. During the late 1970s and early 1980s, however, Dhaka's foreign policy was more tied to Washington and Beijing than Moscow. Bangladesh's foreign policy changed after 1990 as the country became more involved in UN peacekeeping operations. So, Dhaka stepped up its diplomatic work in regional and global forums within the unipolar framework to protect international law, as the constitution says it should. Since then, Bangladeshi leaders have said that the sovereignty and safety of a small country like Bangladesh depend on multilateralism and following international laws. Multilateralism will play an increasingly important role in the Indo-Pacific Region's hedging strategy, just as it did for Bangladesh and a number of other South Asian countries.

References

Abe, S. (2012). Asia's democratic security diamond. *Project Syndicate, 27*.

Albrecht, T., Tsetsos, K., & Grunwald, P. (2020). Concept of sea power. *Handbook of Military Sciences*, 1-17.

Ali, I. (2018). In symbolic nod to India, US Pacific Command changes name. *Retrieved November, 30*, 2021.

Asian Development Bank. (2019). *Asian Development Outlook 2019*. Manila: Asian Development Bank.

Atkinson, R. D. (2022). Biden's Indo-Pacific Economic Framework Is a Paradigm Shift. *Foreign Policy, 1*.

Bergmann, K. (Ed.). (2013). Defence White Paper 2013. *Asia-Pacific Defence Reporter (2002), 39*(4), 4.

Bhattacharjee, J. (2020). Bangladesh: The dilemma over the Indo-Pacific Strategy. New Delhi: Observer Reserch Foundation.

Bradford, J. C., & Bradford, J. F. (Eds.). (2022). *America, Sea Power, and the world*. John Wiley & Sons.

Brewster, D. (2017). Silk roads and strings of pearls: The strategic geography of China's new pathways in the Indian ocean. *Geopolitics, 22*(2), 269–291.

Chacko, P. (2014). The rise of the Indo-Pacific: understanding ideational change and continuity in India's foreign policy. *Australian Journal of International Affairs, 68*(4), 433-452.

Chen, D. (2018). The Indo-Pacific Strategy: A Background Analysis. Istituto per gli Studi di Politica Internazionale.

Corbett, J. S. (1918). *Some Principles of Maritime Strategy: By Julian S. Corbett.* Longmans, Green, (p. 67).

Corbett, J. S. (2004). *Principles of maritime strategy.* Courier Corporation.

De Castro, R. C. (2017). 21st Century Japan–Philippines Strategic Partnership: Constraining China's Expansion in the South China Sea. *Asian Affairs: An American Review, 44*(2), 31-51.

Florini, A. (2011). Rising Asian Powers and Changing Global Governance. *International Studies Review, 13*(1), 24-33.

Gough, B. M. (1988). Maritime strategy: The legacies of Mahan and Corbett as philosophers of sea power. *The RUSI Journal, 133*(4), 55-62.

Haacke, J. (2019). The concept of hedging and its application to Southeast Asia: a critique and a proposal for a modified conceptual and methodological framework. *International Relations of the Asia-Pacific, 19*(3), 375–417.

Hardy, D. (2019). Repositioning the Bay of Bengal: implications of regional change. *Journal of the Indian Ocean Region, 15*(3), 265-280.

Haruko, W. (2020). The" Indo-Pacific" concept: geographical adjustments and their implications.

He, K. (2018). Three Faces of the Indo-Pacific: Understanding the "Indo-Pacific" from an IR Theory Perspective. *East Asia, 35,* 149-161.

He, K., & Li, M. (2020). Understanding the dynamics of the Indo-Pacific: US–China strategic competition, regional actors, and beyond. *International Affairs, 96*(1), 1-7.

Hijar-Chiapa, M. A. (2020). Australia and the construction of the Indo-Pacific 1. In *Conflict and Cooperation in the Indo-Pacific* (pp. 78-93). Routledge.

House, W. (2002). The National Security Strategy of the United States of America (Washington, DC: The White House).

Jaiswal, P., & Bhatt, D. P. (2021). Rebalancing Asia: Belt and Road Initiative (BRI) and Indo-Pacific Strategy (IPS). *Rebalancing Asia: The Belt and Road Initiative and Indo-Pacific Strategy,* 1-9.

Jimbo, K. (2019). Indo-Taiheiyō no anzen hoshō: Senryaku kūkan toshiteno shūren [Security of the Indo-Pacific: Convergence as a strategic space]. *Kokusai Mondai [International Affairs], 687,* 7-16.

Karim, M. (2018). Seaborne trade in Bangladesh: Future challenges. The Independent.

Kostecka, D. (2011). Places and bases: The Chinese navy's emerging support network in the Indian Ocean. *Naval War College Review, 64*(01), 59-78.

Kuik, C.-C. (2016). How Do Weaker States Hedge? Unpacking ASEAN states' alignment behavior towards China. *Journal of Contemporary China, 25*(100), 500-514.

Layne, C. (2012). This Time It's Real: The End of Unipolarity and the Pax Americana. *International Studies Quarterly, 56*(1), 203-213.

Mahan, A. T. (2020). *The influence of sea power upon history, 1660-1783.* Good Press.

Manicom, J., & O'Neil, A. (2010). Accommodation, realignment, or business as usual? Australia's response to a rising China. *The Pacific Review, 23*(1), 23-44.

Manship, H. K. (1964). Mahan's Concepts of Sea Power: A lecture delivered at the Naval War College on 23 September 1963. *Naval War College Review, 16*(5), 15-30.

Medcalf, R. (2020). *Indo-Pacific Empire: China, America and the contest for the world's pivotal region.* Manchester University Press.

Mishra, V. (2019). Evolution of the indo-pacific: Increasing Russian stakes, ICWA.

MoFA. (2007). Confluence of the Two Seas, Speech by H.E.Mr. Shinzo Abe, Prime Minister of Japan, at the Parliament of the Republic of India. Japan: Ministry of Foreign Affairs, Japan.

Moll, K. L. (1963). AT Mahan, American Historian. *Military Affairs*, 131-140.

Mushtaq, S. B. (2018). Bangladesh's ambitious military modernization drive. *The Diplomat*.

Navy, U. S., Corps, U. M., & Guard, U. C. (2007). A cooperative strategy for 21st century seapower. *Washington, DC: Government Printing Office. Retrieved January, 3*, 2010.

Paret, P., Craig, G. A., & Gilbert, F. (Eds.). (1986). *Makers of modern strategy from Machiavelli to the Nuclear Age*. Princeton University Press.

Paskal, C. (2021). Indo-Pacific strategies, perceptions and partnerships. *Chatham House, 23*.

Pubby, M. (2018). China is biggest arms supplier to India's neighbours, US sales to Pak drop 76%. India: The Print.

Rahman, A. A., & Semul, A. T. (2020). Changing Balance of Power in the Indo-Pacific Region: Challenges for Bangladesh. In *Security and Economic Challenges in the Indo-Pacific* (pp. 82-102). Consortium of South Asian Think Tanks (COSATT) and Political Dialogue Asia Programme, Konrad Adenauer Stiftung (KAS).

Rahman, S. A. (2023). What should be Bangladesh's Indo-Pacific strategy? Dhaka: Dhaka Tribune.

Richard, D. (2017). *An Introduction to International Relations*. Cambridge University Press.

Robinson, G. (2018). The rise and rise of Bangladesh. *Nikkei Asia*.

Rossiter, A. (2021). "The Indo-Pacific's evolving strategic landscape: Geopolitics as a framework for grand strategy?", Edited by Brendon J. Cannon and Kei Hakata, *Indo-Pacific Strategies: Navigating Geopolitics at the Dawn of a New Age*, Imprint Routledge, pp. 19.

Spykman, N. J. (1944). *The geography of the peace*. Harcourt, Brace.

Terhalle, M. (2011). Reciprocal Socialization: Rising Powers and the West. *International Studies Perspectives, 12*(4), 341–361.

The Daily Star. (2019). Roundtables: Indo-Pacific Strategy: Implications for the Region. Dhaka: The Daily Star.

The White House. (2022). "Indo-Pacific Strategy." Available at: https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf. Also see, Carla Freeman, Daniel Markey, and Vikram J. Singh, "A Closer Look at Biden's Indo-Pacific Strategy", Washington DC: United States Institute of Peace.

UNB. (2023). Want security in the region but no defence pact: Momen on Indo-Pacific Strategy. Dhaka: The Business Standard.

US Department of Defense (2019), Indo-Pacific Strategy Report: Preparedness, Partnerships and Promoting a Networked Region.

US Government (2017), National Security Strategy of the United States of America, p. 25.

Walt, S. M. (1985). Alliance Formation and the Balance of World Power. *International Security, 9*(4), 3-43.

Willian, C. and Sharon, S. (2022). "Why AUKUS Alarms ASEAN", Foreign Policy.

Wu, Z. (2018). Classical geopolitics, realism and the balance of power theory. *Journal of Strategic Studies, 41*(6), 786-823.

Yasmin, L. (2023). Bangladesh's Indo-Pacific Outlook: Has Dhaka 'Tilted Towards the West'? Washington, D.C.: South Asian Voices (SAV).

Military Interface in Myanmar and the Uncertainty of Rohingya Repatriation

A.S.M. Firoz-Ul-Hassan[*]

Abstract

Rohingyas are hesitant to return to Myanmar because they are unsure of what will happen to them there, including if they will receive their citizenship back, life security, human dignity, and access to their abandoned homes. This study, which is based on content analysis, looks at the state of repatriation operations, the government's diplomatic skills, and the effects of military intervention on Rohingya refugees in Myanmar. The prime question was how military intervention in Myanmar jeopardizes Bangladesh's current diplomatic efforts to secure the return of Rohingya refugees. Findings show that the deteriorating political climate in Myanmar can be blamed for the failure of repatriation negotiations between Bangladesh and Myanmar. The Rohingyas are anxious and frustrated since the military government's position on repatriation is still unclear. Evidence of ethnic cleansing has been found by international human rights organizations, but China, Russia, and other powerful nations have sided with Myanmar. The analysis emphasizes how crucial Chinese participation in the bilateral effort to resolve the Rohingya issue is. Concerns are raised about the future of the repatriation procedure in the light of the military coup in Myanmar. Repatriation could be used by the military government to justify its control and to build a reputation abroad. The vulnerable situation of the Rohingyas needs to be addressed with a consistent and morally sound plan. This study emphasizes the significance of having a consistent and ethically sound approach for handling the Rohingyas' vulnerable situation and safeguarding their well-being.

Key Words: Diplomatic Efforts and Geopolitics, Military in Myanmar Politics, Repatriation, Rohingya Refugees.

Introduction

Many analysts have explained that the military in Myanmar has practiced intimidation so that the Rohingyas do not have to worry about returning to Myanmar. Bangladesh has said that it will take back Rohingyas at the Zero Line of the border first when the repatriation process begins. Since the Rohingyas have not yet entered Bangladesh, there is no need to verify their identities. In the long 62 years since its independence in 1947, civilians have been in power in Myanmar for only 15 years. In the last 10 years, Myanmar has been ruled officially by a civilian ruler but realistically by a military ruler. Bangladesh's move to secure its border is particularly commendable given the political

---

[*] Associate Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka-1342, Bangladesh, E-mail: firozhassan1979@juniv.edu

unrest and democratic vacuum that are currently roiling Myanmar. On the border, Bangladesh needs to be more vigilant and stronger.

The likelihood that the US and other European nations would urgently strive to find ways to end the democratic vacuum in Myanmar, it would increase significantly if the government of Bangladesh took a strict and unambiguous stance. In addition, the constitution was amended in 2006 (25 percent of seats in parliament, three ministries will be from army, and Myanmar's Commander-in-Chief will be the army chief, etc.) to strengthen the military's position in governing the state. It is worth mentioning that after August 25, 2016, about seven and a half lakh Rohingyas fled to Bangladesh with 'Janta' in their hands to escape the brutal killings, brutal torture, indiscriminate rape, and wholesale arson by the Myanmar military (UNICEF, 2019).

At present, there are more than 11 lakh Rohingyas living in Bangladesh, both old and new. Bangladesh has been emphasizing the repatriation process from the very beginning to solve the Rohingya problem. Following this, a repatriation agreement was signed between Bangladesh and Myanmar on 23 November 2016. A task force was formed on December 19, 2016. A 'physical arrangement' agreement was reached in January 2016, under which the Rohingyas would be repatriated to Myanmar within two years from the start of the repatriation process. But in the present context of the military coup, a vital question is raised, what is the future of the Rohingya repatriation process? This study has considered the following objectives to critically analyze the impact of military interference in Myanmar on the plight of Rohingya refugees sheltered by the government of Bangladesh.

- To understand the progress of Rohingya repatriation efforts and explain the diplomatic abilities of the government.

- To perceive the consequences of the military interference in Myanmar and the plight of Rohingya refugees.

The study has also proposed an important research question, to what extent, Military interference in Myanmar will demean the ongoing diplomatic efforts of the government of Bangladesh for the repatriation of Rohingya refugees? This study used a content analysis approach to analyse the state of repatriation efforts, the diplomatic abilities of the administration and the consequences of military engagement in Myanmar for Rohingya refugees. Content analysis enables rigorous exploration and interpretation of available data, yielding appropriate insights and findings. The fundamental research question is, how does military action in Myanmar affect Bangladesh's continuing diplomatic efforts to return Rohingya refugees? To answer this research question, the study has conducted a thorough assessment of relevant materials, such as papers, reports, and media sources.

The websites provide information on the current circumstances as well as the problems faced throughout the repatriation process. Because of Myanmar's evolving political atmosphere, repatriation talks between Bangladesh and Myanmar have experienced significant delays and impediments. The military government's equivocal stance on

repatriation has fueled worry and anger among the Rohingyas, stifling progress in the repatriation process. International human rights agencies have also discovered indications of ethnic cleansing. This study underlines the importance of having a consistent and morally strong plan to solve the problems regarding the vulnerable status of the Rohingyas and ensure their well-being during the repatriation process.

Military Interface in Myanmar and the Repatriation of Rohingya Refugees: A Critical Juncture

Relevant literature and reviews of Myanmar's security forces show how tough they are on the question of Rohingyas. Bangladesh's talks with the country on Rohingya repatriation have been stalled for six months since the military came to power in Myanmar. Shahriar Alam, Bangladesh's state minister for foreign affairs, told the BBC that Bangladesh's progress on the issue had been stalled due to the changing political situation in Myanmar. In his first televised speech since taking power in a coup, Myanmar's army chief, Senior General Min Aung Laing, said that his government would not change Myanmar's current foreign policy. The agreement to repatriate the Rohingyas will not be affected, although he did not mention the word 'Rohingya' in his speech." Mr. Muniruzzaman said: "Such a move by Myanmar is a sign of non-cooperation. The Rohingyas are already afraid of returning to Myanmar. Such an increase in military might would create more fear in their minds." Since the beginning of the Rohingya crisis last August, Bangladesh has undertaken various diplomatic activities (UNHCR, 2019). The UN human rights body and various international human rights organizations believe that there is evidence of ethnic cleansing of Rohingyas in Myanmar.

In this situation the big powers like China, Russia and regional power India have sided with Myanmar. Analysts explain that various statements and criticisms have no effect on the Myanmar authorities internationally (Imtiaz, 2010). Major General (Retd.) A. N. M. Muniruzzaman thinks that if Bangladesh wants to retaliate on the border, the whole repatriation process could be dashed. Mr. Muniruzzaman said, "Bangladesh should not fall into the trap of Myanmar. If a conflict situation arises on the border, it will never be in Bangladesh's interest." The way the homeless people were supposed to be repatriated from Bangladesh as per the bilateral agreement will continue," he said. On the issue of Rohingya rehabilitation, he said that the rehabilitation work of the displaced people in the temporary camps inside Myanmar will continue. The agreement with Bangladesh will be implemented through negotiations, he said, if it does not harm the interests of the country.

It was decided that those who are accepted among the displaced persons, will be allowed to return according to their 1982 citizenship (Karim, 2000). But a tripartite meeting between Bangladesh, Myanmar and China scheduled for February 4 has been postponed. The Rohingyas could not be repatriated even three years after they took refuge in Cox's Bazar. Bangladeshi officials are now waiting to understand the position of Myanmar's military government. After Aung San Suu Kyi's government, many people in Bangladesh are now questioning whether there will be any difference in position between the

Myanmar military government on the Rohingya issue. After the military has taken full control of Myanmar, there has been renewed frustration among Rohingyas in the Teknaf-Ukhia camps in Cox's Bazar (Nasir, 2018). Mohammad Noor, a Rohingya leader from the Kutupalong camp in Ukhia, said talks were underway with the Bangladesh government on repatriation during Aung San Suu Kyi's government. He noted that there were now doubts among them about the position of Myanmar's military government.

When there was a system of democratic government in Myanmar the international community, including the Bangladesh government, was having talks with them. Now the military government has been formed. It is unknown at this time what he will do after leaving the post. And the army has tortured and driven Rohingyas away (Philip, 1992). So how can they hope positive attitude from that army?" This is a common question of the Rohingyas. Many Rohingya leaders in Cox's Bazar are expressing frustration over the situation in Myanmar. Shortly before the military took over Myanmar, a virtual meeting was held between Bangladesh and China at the Foreign Secretary level on January 19. After more than a year, the meeting was rescheduled for February 4. However, the scheduled meeting has been postponed. Syeda Rozana Rashid, a lecturer in the Department of International Relations at Dhaka University, said there would be some differences between the military government and the previous government.

The Position of Bangladesh Government

At this critical juncture should Bangladesh government take a new strategy to send back the Rohingyas? Bilateral talks will now have a breakthrough. Now, of course, there are new things to be considered. In the past Bangladesh used to think the same way. Bangladesh Foreign Minister AK Abdul Momen has said that Bangladesh will try to implement the agreement signed between the two governments. "We have an agreement with the government. No one in particular has agreed. So the process should continue. And we have a history. We handled the problem when there was a military government in Myanmar. Why not this time? ""If they do repatriation, there is an opportunity for them to be with others. So they should take that advantage. We have said that the Rohingya repatriation process will continue - we hope so," he said. The agreement was reached between the governments of the two countries (UNDP, 1994). But even in three years, Aung San Suu Kyi's government has not taken any effective steps to implement it.

The then Foreign Secretary Shahidul Haque was one of the key players in Bangladesh's efforts to resolve the Rohingya crisis and sign the agreement. Despite the agreement, Myanmar was trying to delay it. Therefore, there is no reason to be optimistic at the moment. Because Myanmar government's intention to take the Rohingyas back has never been clear. Wei Loy, a Myanmar human rights activist, believes that the position of the military government in Myanmar will not differ from that of Aung San Suu Kyi's government in taking back the Rohingyas. He was an adviser to the Kofi Annan Commission on the Rohingya Crisis. He thinks that Myanmar's policy towards the Rohingyas may remain the same. Most of all their foreign policy will be pretty much the

same. It can be mentioned that they have appointed a foreign minister who served as foreign minister since 2010.

The foreign minister will be in charge of the whole situation now. It is expected that Myanmar should have reached the goals of the agreement that Myanmar has made with the Bangladeshi government. While Aung San Suu Kyi was in power, millions of Rohingya fled Myanmar to Cox's Bazar in 2016 due to military operations. That is why even though the army was the main factor Ms. Suu Kyi did not take a strong stand for the Rohingyas. Humayun Kabir, a former diplomat, said Myanmar's military had played a key role in negotiating repatriation with Bangladesh, even though Ms Suu Kyi was led by the previous government. Rather Bangladesh is in a bit of a delay in the process.

It cannot be said that the Myanmar government will move away from the activities that have taken place over the last three years. Now the military forces have come to power by removing Suu Kyi. So, there is no reason why they will move away from the Rohingya problem, no matter how much they move or progress (Human Rights Watch, 2012). Many analysts believe that China's close ties with Myanmar will continue despite the military taking power. In that context, Bangladesh should now focus on getting Chinese help so that the Rohingyas do not come again and the refugees who are here are also sent back.

The Role of China

Syeda Rozana Rashid, a teacher of the Dhaka University said, "China is a factor here. China needs to be more involved in the bilateral process that is going on here. We have approached everyone on the Rohingya issue. We have approached Myanmar. We have gone to all states and the UN and international courts. China has made some progress in this regard. Japan has also made some progress. But China has made many efforts in this regard." Mr. Momen said: "We have placed China in confidence. One of the concerns of many of our western friends is that more Rohingya may now come from Myanmar. We have secured the border. Those who have come before are accepted by the people of Bangladesh". In this regard, Kuala Lumpur Malay University Institute of China Professor said. "As the third country outside Myanmar and Bangladesh, only China can help Bangladesh on the Rohingya issue," Syed Mahmud Ali told BBC Bangla. "However, Myanmar and China are very much dependent on each other on other issues, including economic, geopolitical and security. The relationship between them is very close (David, 2018)".

It is very difficult to get help from the Myanmar authorities without China's support. China mainly imports oil and fuel gas from the Middle East, which is unloaded at the port. The Chinese have spent billions of dollars building two pipelines through the port over the past few years to supply oil and fuel gas, and Myanmar has had to pay a lot of money for that. The pipeline is used to transport oil and fuel gas from the Middle East to Kunming, the capital of China's Yunnan province.

Myanmar is now a full-fledged military state with a military government in place. Democracy, which has been under 49 years of continuous military rule since 1972, got a chance to breathe a sigh of relief in 2011, but exactly 10 years later, that democracy is back in the box of military rule. However, Rohingyas refuse to return to Myanmar. Because where Myanmar will take them? Will they be given back their citizenship, security of life, human dignity? Will they be given back their abandoned home? They did not receive credible assurances from the country. As a result, the first and second rounds of repatriation failed. The repatriation process was almost halted in 2020 due to an outbreak of the coronavirus, but a meeting between the Foreign Secretaries of Bangladesh and Myanmar was held on 19 January 2021 at the Chinese Embassy to resume the repatriation process.

Question of Military Government in Myanmar

A sudden military coup in Myanmar has raised fears and questions whether the repatriation process will end. The military coup does not seem to have stopped the Rohingya repatriation process. One argument is that the way the Suu Kyi government was moving forward with the Rohingya repatriation process with Bangladesh had the support of the military. So the military government seems to be continuing that process. Apart from that, the repatriation agreement that took place on November 23, 2016, was not conducted with the individual Suu Kyi or the government led by Suu Kyi. The agreement was with the state of Myanmar. On the contrary, in the new situation, if the military wants to accelerate the Rohingya repatriation process on its own initiative, it will not come as a surprise. Myanmar's military government could use the issue of Rohingya repatriation to legitimize military rule and establish a positive image of itself to the international community (UNDP, 2018). Therefore, it will depend on Bangladesh's role to seize this opportunity in consultation with the military government of Myanmar, so that the process of Rohingya repatriation can be expedited.

The Factor of International Political Interest

No matter how much human rights and the rule of law may be mentioned, the enduring support of various countries for Myanmar despite the Rohingya genocide is a vital question. This is an example of the fact that all countries put their own interests first in international relations. Many countries, including the United States, Russia, China, and India, continue their investment, trade, and other activities, focusing on the geopolitical importance of the country and the exploitation of the country's natural resources. The issue of law and order and security in Rohingya camps has been a source of concern for some time. However, the killing of a refugee leader inside a security cordon is significant. Earlier, news of the killing of several refugees came in the media. At the same time, the number of fires in the camps has increased recently. Just as it is important to provide proper assistance to the families affected by the fire, it is also important to properly investigate these incidents and bring the culprits to justice (Daily Star, 2019).

There is no point to think that there is a fundamental difference between the position of China and the United States on the Rohingya issue. The position of the two countries is almost the same. Both countries have come and gone with the support and indulgence of the Myanmar government. China has sided directly with Myanmar. On the other hand, the prospect of a new policy of USA on Myanmar under the Biden administration has not been materialized.

It appears from the analysis based on literature review that Rohingya refugees are more likely to be affected by the vicious cycle. Apart from that, in the last four years, Bangladesh has invested a lot of moral capital on the Rohingya issue, which has helped the country to achieve a kind of 'soft-power' in the international arena. Therefore, it is necessary to have a consistent, morally strong, sound and far-reaching plan that is consistent with reality without making hasty and inconsistent decisions on this sensitive issue.

It has recently become clear that the Biden administration has maintained the Trump administration's previous policy in the interests of various corporations, including the US oil company Chevron, which is based in Myanmar. It is implemented despite pressure from the Democratic-controlled US Congress to change Myanmar. Therefore, the administration in power in Myanmar is in a favorable position in all respects, which is unlikely to change in the near future.

Conclusion

Taking advantage of the Rohingya's vulnerability, various groups, such as religious militant groups or human-drug-firearms traffickers, will naturally continue to try to involve the Rohingyas in their misdeeds. This is a risky place. However, the Rohingyas who took refuge in the camps have no chance to be considered as the main culprits of these misdeeds. Many countries, including the United States, Russia, China, and India, take advantage from the geopolitical position of the country and its natural resources. Such disgusting support from the big countries for a state accused of genocide make the issue of repatriation more complex. Such a reality leads Bangladesh to adopt more appropriate diplomatic activities.

Based on the overall situation Bangladesh government has decided to impose strict restrictions on the travel of Rohingyas. Bangladesh government is guided by a sense of responsibility, humanity and awareness. The Myanmar government has repeatedly failed to deliver on its promises. The source of Myanmar's power is China which has played a major role in world politics. It has also failed to address the Rohingya crisis. In the last three years, there have been several ministerial meetings between Bangladesh and Myanmar mediated by China. But not a single Rohingya has returned under the repatriation agreement. China's tactical role, which is the most influential in Myanmar, does not seem to be working on this issue.

Therefore, at this moment, the Bangladesh government needs to start more diplomatic activities. Bangladesh can convince China that both these countries can be friends

economically, socially and politically. On the other hand, it is necessary to convince the Indian government that their full support on the Rohingya repatriation issue is required. On the part of Bangladesh, the Ministry of Foreign Affairs should carry out the current diplomatic activities with full attention and importance on Rohingya repatriation.

References

Ahmed, I. (2010). The Plight of the Stateless Rohingyas: Responses of the State, Society & the International Community. Dhaka: University Press Limited.

Gain, P., & Jarlath, Brother, D. S. (1992). Rohingyas: Who Really is Their Friends?. SHETU.

Human Rights Watch (2012). Bangladesh: Assist, Protect Rohingya Refugees Humanitarian Aid Desperately Needed; Crisis Situation in Burma Continues. New York: Human Rights Watch.

Karim, A. (2000). The Rohingyas: A Short Account of their History and Culture. Chittagong: Arakan Historical Society.

Lewis, D. (2018). The view from Cox's Bazar: assessing the impact of the Rohingya crisis on Bangladesh. London: LSE South Asia Centre.

The Daily Star. (2019). Human Trafficking: Rohingyas faced horrific crimes. Dhaka: Daily Star.

Uddin, N. (2018). Rohingya Refugees in Bangladesh: Five Challenges for the Future. London: LSE South Asia Centre.

UNDP. (1994). New Dimensions of Human Security. New York: Oxford University Press.

UNDP. (2018). Environmental Impact of Rohingya Influx. Dhaka: UNDP.

UNHCR. (2019). Joint Response Plan for Rohingya Humanitarian Crisis. Dhaka: UNHCR.

UNICEF. (2019). Bangladesh: Humanitarian Situation Report No. 46 (Rohingya Influx). Dhaka: UNICEF.

Challenges of Public Accounts Committee (PAC) to Scrutinize Public Expenditures in Bangladesh: An Analysis

Abu Saleh[*]

Abstract

In Bangladesh, the Public Accounts Committee is a constitutionally referred parliamentary committee. Working to ensure financial accountability of the government, it encountered some challenges related to structural and behavioural aspects. Apparently, the nature of the political system, executive-legislature relationship as well as the existing nature of bureaucracy was imposing serious challenges in the effective working of PAC. The political will of the government to be accountable and to make a culture of accountability in every sphere of public office is very significant to mitigate the challenges of PAC. This study envisioned to explore the challenges of PAC to Scrutinize Public Expenditures regarding to the eighth and ninth parliament of Bangladesh.

Key Words: Accountability, Oversight Role, Political Culture, Political Will, Social Standing.

Introduction

Committee system emerged as a common feature of modern parliament. It has sanctioned authority by the parliament to perform numerous functions involving with the lawmaking and overseeing activities. The Public Accounts Committee, also known as PAC, is a parliamentary committee tasked with overseeing the public spending and financial management of the government. The first Public Accounts Committee (PAC) was established in 1861 by a resolution of the British House of Common. Subsequently it is replicated virtually in all Commonwealth and many non-Commonwealth countries. Across the Commonwealth, however, there is considerable variation in PACs' institutionalization, size, terms of reference, and *modus operandi*. The legal aspect of PAC is ingrained from the constitution, RoP, parliamentary traditions, customs, norms and practice of a state. "In some countries, the PAC is established by the country's constitution (Stapenhurst, Pelizzo, & O'Brien, 2012). There are some other countries where PAC is set up by the standing orders of their respective parliament (Stapenhurst et al., 2012). Depending on the legal arrangement, nature of government and political culture, the role of the PAC vary with one another.

---

[*] Assistant Professor, Department of Political Science, Bangabandhu Sheikh Mujibur Rahman Science and Technology University, Gopalganj, Bangladesh,
E-mail: saleh.bilwabs@bsmrstu.edu.bd

In Bangladesh, PAC is a constitutionally referred committee that is working according to the mandate given by the constitution and Rules of Procedure (RoP). Having clear legal and constitutional mandate, it was working with some ground realities; as a result, it has some achievements alongside, it has some challenges also. This article intended to explore the challenges of PAC to Scrutinize Public Expenditures in Bangladesh.

Methods of the Study

The study is primarily qualitative and the data has been collected for this study is qualitative. The relevant data were gathered both from primary and secondary sources. Secondary sources of data include documents on the legal framework concerning parliament, and PAC, proceedings of the parliament and meeting minutes of committees, published report, press reports, related books, journals and monographs. On the other hand, primary sources of data incorporate in-depth interviews of chairman and members of the committee, committee officials, academicians, researchers, experts, civil society members and some other key actors concerned with the overseeing process of the parliament.

Theoretical Aspect and Analytical Framework of the Study

Accountability is considered as the core issue of democratic governance and it makes the government responsible for its every action. The beauty of democracy is that the people take part in the process of governance indirectly through their representative by exercising universal adult franchise and they represent in the parliament on behalf of people. Thus, parliament secures the accountability of government with its representative through its various mechanisms. "The government itself consists of the political executive and administrative executive. The administrative executive is accountable to the political executive, which in turn is accountable to the parliament. These themes of accountability constitute government accountability"(Mulgan, 2000; Pyper, 1996). However, the objective of this study is to explore the aspect of challenges encountered by the PAC to ensure financial accountability. It has been analyzed in this study from two broader perspectives which are interrelated and these two aspects influence each other. These two interrelated aspects are:

1. Formal or Institutional aspect.
2. Informal or Societal aspect.

An established set of regulations and conventions of public organizations is linked with the institutional aspect of accountability. These set of regulations and customs has been accepted over the long historical perspective by an institution. Conversely, generic values of a society through which organizations are cuddled up from the distant past embedded with the societal aspect of accountability. These generic values and norms also concerned with the established set of laws, customs and culture of an institution. Therefore, it can be mentioned here that all the institutions inherited its capacity, stability and maturity through a wider social, cultural, political and historical context. Such aspects of

institutional and societal accountability may explain with the idea of new institutionalism. It seeks an understanding of the relationships among institutions, behaviour and outcomes(Diermeier & Krehbiel, 2003). "It looks into the impact of the institution on an individual's actions through rules and norms in cultural-cognitive frameworks. Institutionalism also delineates that the preference of entity is always persuaded by its societal context"(Kamel, 2009). Therefore, societal context is very important to effectively run of any institution as the culture of an institution is ingrained from the generic value of society. The idea of new institutionalism comprises rational choice, historical and sociological institutionalism also. Some scholars involve cultural theory as a variety of the new institutionalism and defined institution based on four categories of culture: "hierarchical, egalitarian, fatalistic and individualistic"(Grendstad & Selle, 1995). As "the cultural aspect of political life is somewhat determined by the historical and sociological institutionalism"(Hall & Taylor, 1996). However, "no institution can be properly comprehended without considering its wider social and cultural context"(Selznick, 1996). The cultural theorists interpreted that the social contexts of an institution in which it exists determine the nature and act of it (Hofstede & Hofstede, 2001; Thompson, Ellis, & Wildavsky, 1990). For instance, the Westminster-style of government replicated in other parts of the British colony during the colonial period is mostly influenced of the culture of respective countries(Putnam, Leonardi, & Nanetti, 1992) and it shaped into a new pattern democracy. Therefore, it is crystal clear that social perspectives make a difference in the performance of an institution and keep an impact on the internal dynamics and pattern of politics. Besides, there are some certain determinants: "institutional rules, norms and routines which also make an impact in the performance of politics and governance"(March & Olsen, 1983, 1994). These determinants are shaped by history(Putnam et al., 1992). As a result, the institutional mechanism of Westminster forms of democracy that has been replicated in the British colony in Asia and Africa encountered challenges to the local values and culture.

Financial accountability of parliament depends on the proper functioning of various legislative organs especially on the oversight role of Public Accounts Committee. The PAC encounters a number challenges to play its effective role in the parliament of Bangladesh that can be analyzed based on some specific factors which may be classified into two groups like structural and behavioural challenges (Ahmed, 2000). The structural aspect includes the challenges within the PAC structure and outside the PAC structure related to OCAG and its audit process, which provide the area of jurisdiction and role of the committee. It also defines the outline of the member's parliamentary conducts and activities. However, it may practically vary from what is mentioned in codified law and procedure. On the other hand, Behavioural aspects are influenced by some variables: internal and external variables (Ahmed, 2000). The internal variable includes the social standing of committee members (occupation, education, the experience of the members, and leadership role of PAC chairman). External variable includes nature of the political system, political culture, nature of bureaucracy, executive-legislature relations (Ahmed, 2000). The behavioural factors depend on members' political commitment and ability.

Political commitment means here as the enthusiasm of members to implement electoral promise for what people elected him as an MP during the election; while ability denotes the member's level of skill in parliamentary business. Committees play its role effectively when political commitment and ability of members make a functional nexus with each other. Conversely, it reveals mostly ineffective when these two differ with each other. Social standing of PAC members works as a linchpin between political commitment and ability of members.

Figure-1, Analytical Framework of the Study

Analytical Framework: Challenges of PAC

Challenges of PAC in Bangladesh

Structural Challenges

Challenges within PAC structure
-Belated formation of PAC
-To appoint Chairperson from opposition.
- Limited access of media in the meeting.
-Unavailable and unorganized report.
-Lack of formal mechanism to monitor the progress.

Challenges in the audit process of OCAG
-Shortage of skill manpower in the OCAG
- Inadequate functional independence of OCAG

Behavioral Challenges

Willingness and Political Commitment

Internal Variable
-Social Standing of the Members
(Education, Occupation, Experience, Leadership Role).

External Variable
-Nature of Political System
-Political Culture
-Nature of Bureaucracy
-Executive-Legislature

Challenges of PAC in Bangladesh

PAC is a constitutionally referred parliamentary committee as it mentioned "to appoint standing committees including Public Accounts Committee (PAC), a Committee of Privileges (CP) and other committees as per requirements laid down in the RoP" (Constitution, 1996). As a result, it enjoyed a heightened status over other committees in the house. Structurally, the PAC is facing some challenges which need to be reformed for ensuring an effective financial oversight role in Bangladesh. The challenges that the PAC encounters to play its effective role in the parliament of Bangladesh can be analyzed

based on some specific factors which may be classified into two groups like structural and behavioural challenges. The challenges of PAC in Bangladesh are mentioned below in the following manner: Structural challenges and Behavioural Challenges.

Structural Challenges

Based on the nature of the challenges of structural aspect, it may be explained on the following two ways: challenges within the PAC structure and challenges related to OCAG and its audit procedure.

Challenges within the PAC Structure

Within the structure of PAC, there are some challenges that inhibiting the efficiency of PAC. The challenges are being mentioned on the following sections:

Belated formation of PAC

After the formation of every new parliament, PAC is set up according to its due constitutional mandate at a different time but it has not any identical pattern of duration regarding its formation. Rather, it has a trend to be formed belatedly, months or years after the start of a new parliament that also proved a lacking of strong willful effort of the government to be accountable. The PAC was formed on 15 May 2003 in the seventh session of the eighth parliament which was 18 months (560 days) later of its inaugural session(Saleh, 2020). On the other hand, the PAC was formed at 18 February 2009, 24 days later of the first sitting of ninth parliament(Saleh, 2020).

To Appoint Chairperson from the Opposition Party

One of the important structural challenges of PAC in Bangladesh is to appoint a chairperson from the opposition senior members. Generally, the chairperson of the PAC in Bangladesh is appointed among the MPs from the treasury bench following the majoritarian policy. Bangladesh can learn the lesson from the British House of Commons and Indian Parliament to appoint the chairperson of PAC from the opposition senior member. The opposition chairmanship can be a means to whistle away at the adversarial nature of parliamentary politics and can place premium and question the utility of party government (Pelizzo, Stapenhurst, Sahgal, & Woodley, 2006). Therefore, "Giving the chairmanship of the PAC to the opposition serves to re-equilibrate the balance of power between the government and the opposition, and indicates the willingness of both the majority and the minority to operate within the PAC in a nonpartisan manner" (Stapenhurst et al., 2012). It will make the PAC more effective and functional for securing financial accountability properly. To appoint a chairman from the opposition party is imposing as a challenge for PAC in the existing political culture and scenario of Bangladesh.

Limited Access of Media in the Meeting

The PAC meeting in Bangladesh is restricted only for the members, CAG officials, representative of concerned ministry/department related to audit objections and

committee officials. There is no direct access to print and electronic media and mass people in the hearing of PAC(Saleh, 2020). Generally, the PAC does not arrange any briefing with the media. However, they held press briefings followed by publishing PAC reports if the issue appears very significant in terms of political notion as well as the public interest. Sometimes, media plays a role to arrange such briefing of PAC when they raised the issues as significant through publishing news. In the ninth parliament, the press briefing was held by the Chair of the PAC regularly after every meeting providing details of every objection that it discussed, irrespective of significance. PAC in the eighth parliament arranged some meeting occasionally but it was not held after each meeting of the committee (Saleh, 2020). The PAC reports are not available on the website of parliament and there is nothing mentioned in the website regarding the update of the PAC. The website of the Parliament of Bangladesh itself needs to be updated to an easy and reader-friendly approach rather than being a static medium. So, to make an open-access of mass media and the public hearing is appearing as a challenge of PAC in its way of working as it is related to the political intention and willingness of the government.

Lack of Formal Mechanism to Monitor the Progress

The PAC in Bangladesh does not have any staff to monitor the progress of the implementation of PAC recommendations(Saleh, 2020). Committee section-2 of Parliament Secretariat is assigned to deal with the issues of PAC but it is also assigned for dealing with other committees. As a result, they feel a huge workload to deal with the assignment of the committee. Besides, the committee does not have any research and evaluation wing also (Saleh, 2020). The parliament secretariat is not enjoying autonomy in practice from the control of the executive and is poorly resourced. Because of such structural limitations, the role of PAC to ensure financial accountability is looking virtually missing. As a result, the PAC is working in a piecemeal form in Bangladesh. It is a challenge of PAC for the smooth functioning of its oversight activities.

Unavailable and Unorganized Report

Most of the report of the PAC started with a preface and acknowledgement written by the chairman of the committee. The report of the PAC does not have an identical pattern as a result; the report of each parliament has its own fashion. It depends on the personal choice and instruction of the chairperson of the committee. As a result, a kind of inconsistency is seen in the presentation of information mentioned in the report. Generally, it comprised of seven sections like important aspects of the report, introduction, general recommendation of the committee, summary of the meetings held against several department/ministries, meeting minutes of PAC, meeting minutes of sub-committees and appendixes. But there is no specific section on the status of the implementation of PAC recommendation. The reports of the PAC in ninth parliament has a subsection of chapter two titled 'Implementation of the PAC Recommendation' but its content is not consistent with the implementation status of the PAC recommendation rather it is merely a description of committee decisions that the committee is given

against audit objections of various ministries/departments. There is no concrete information on the implementation of committee recommendations. Besides, it is found discrepancy in the financial information presented by the graph in the report. For example, the financial information related with the PAC decisions in second (p.15) and third (p.12) report that are provided by the graph in the introductory part of the PAC reports in ninth parliament are found incorrect and is not compatible with the financial statement mentioned in the appendix of the reports (Appendix-5, p.584, the second report and Appendix-5, p.679, the third report of PAC)(PAC, 2011, 2012). Besides, it is found hide and secret policy in presenting the meeting minutes and information in the PAC reports in the eighth parliament(PAC, 2005). The PAC in the eighth parliament held a total of 46 meetings in its tenure but the committee published only 25 meeting minutes and its related information in its first report and rest of 21 meeting minutes are still missing and remained hidden in the manner of unknown mystery (PAC, 2005). But, it has the right to the people to know what was in it and why it is not published yet. It seems to have flouted of the democratic norms and accountability principles. While the indication goes against the PAC itself for violation of accountability principles, then its role turns into an illusion of accountability in the eighth parliament.

The PAC in the House of Commons of the British Parliament published not merely its meeting minutes in its report. It follows an identical pattern in publishing its report which is more specific and consistent. The main contents of the report of PAC in the House of Commons include Chair's forward which contains the summary of the report, government responses against committee decisions that were mentioned in the earlier report of the PAC published in the form of Treasury Minutes, correspondence of the PAC, gifting minutes and contingent liabilities and other materials associated with the work of the PAC.

In the Indian Parliament, the PAC published its report separately in the name of the ministry/department. The report of the PAC follows a specific and identical pattern which includes the composition of the committee and subcommittees, introduction, status of audit objections, implementation status of previous PAC recommendations, audit review of a specific ministry/department, specific findings and report on audit objection, committee observation and recommendations, appendixes. The appendixes contain meeting minutes of the PAC, its subcommittees and other relevant issues. The committee published a separate follow up report. For example, in Seventeen Lok Sabha, the PAC published a follow-up report titled "Action taken by the Government on the observations and recommendations of the Committee"(Sabha, 2019-20). The main aspect of the follow-up report includes chair's forward and introduction, observation/recommendation which have been accepted by the Government, observation and recommendation which the committee does not desire to pursue given the replies received from the government, observations and recommendations in respect of which replies of the government have not been accepted by the Committee and which require reiteration, observations/recommendations in respect of which Government have furnished interim replies/ no replies and appendixes (Sabha, 2019-20).

In Bangladesh, report of the PAC generally published with a huge number of meetings minutes of different ministries/ departments. As a result, it becomes a large volume with the pages of 500 to 600. In the eighth parliament, it published a single volume of the report which was 431 pages(PAC, 2005) and in the ninth parliament, it published four reports and each volume of the report comprised with the pages respectively 590 pages, 603 pages, 695 pages and 392 pages(PAC, 2010, 2011, 2012, 2013). As a result, the significance and priority of the reports are not being focused and the issues are being presented haphazardly. So, it becomes very tough for the members as well as academicians to find out the relevant information like the government response against committee recommendations and its implementation status. So the presentation style of the report itself seems to as a challenge of its effective role. For making an effective PAC, the challenge mentioned above concerning the structural aspect needed to overcome properly.

Challenges in Audit Process and Audit Standard of OCAG

The office of the Comptroller and Auditor General (OCAG), the supreme audit institution (SAI) of Bangladesh, plays an important role in a democratic setting by promoting accountability and transparency of the government. It is the constitutional and independent entity responsible to conduct audit on public sector expenditure and revenues. It has a functional integration with PAC which is determined by the constitution. The PAC scrutinizes audit reports in its meetings and works closely with the OCAG.OCAG is the producer of audit reports, and PAC on behalf of the parliament is the user of these audit reports(Ataul Hakeem, 2013). As a result, the success and failure of PAC are mostly depended on the proper and standard audit process of OCAG. The OCAG faced some problems to conduct its audit activities which are mentioned below:

Shortage of Skilled, Experienced and Professional Manpower in OCAG

Skill and expertise of the OCAG staff are considered as the prerequisite of the standard audit. But in Bangladesh, it has to deal a large volume of an auditable unit which is near about 30,000 with its shortage of skilled manpower(Roy, 2015). The CAG is now working with the organogram which was approved in 1988. This organogram is not currently suitable for the CAG considering its existing scenario. By this time, the volume of national budget and number of auditee offices has been increased a lot. The workload of the CAG is increased day by day but necessary manpower has not been engaged for such an overloaded work. Rather, one-third approved positions in OCAG remained vacant for a long time. As a result, CAG cannot complete not more than 10 per cent external audit in comparison to the internal audit of the government office(Alomgir, 2014). It means only 10 per cent of the total auditable unit is audited by the CAG through which it comes to PAC later on.

Currently, there are 4000 of total audit staffs including BCS officers and other logistic staffs working in OCAG. Among them, the majority of the managerial staffs (39%) comes from general backgrounds (Humanities and Science), Finance/Accounting (14%)

and Financial Management (9%). Though there have been several MBAs (9%), the number of managers with ICMAs, CISAs and other professional accounting/auditing qualifications are still quite low. It is worth mentioning that there are no Chartered Auditor/Chartered Accountants in CAG office. The following table illustrated the picture of the academic background of the officers of BCS Audit and Accounts cadre. Staffs recruited from MBAs and others general background are not compatible in a technical job like auditing. Most of the managerial positions in OCAG are recruited through BCS (Audit and Accounts cadre) and a few numbers of them come from departmental promotion. In BCS examination, the Audit and Accounts cadre considered in the general cadre category although it is quite a technical job in nature. The minimum eligibility set by the BPSC to apply on Audit and Accounts cadre in the BCS examination is looking also more general.

Figure: 2
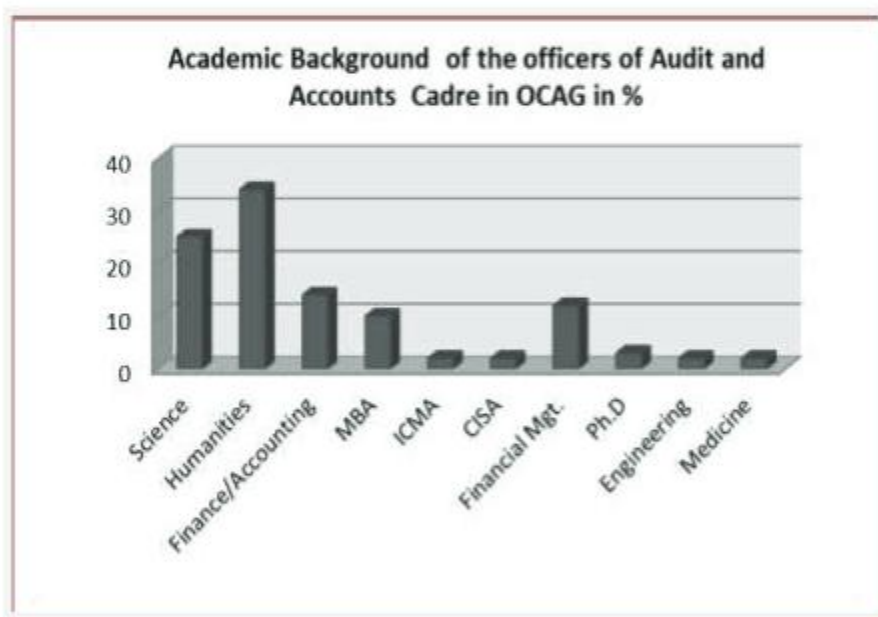
(Source: Data collected from the OCAG website)

As a result, the candidate from any discipline may apply in this cadre.[1] On the other hand, the officers coming from the departmental promotion are being selected from both Upper

---

[1] The minimum eligibility set by the BPSC to apply in Audit and Accounts Cadre in BCS examination is at least four-year bachelor or equivalent degree/master degree in any discipline

Division (UD) and Lower Division (LD) clerk having very minimum academic credentials from general discipline in most of the cases(Ali, 2014). Moreover, the rest of the non-cadre officers recruited in the CAG office for auditing also being chosen from the general background (Ali, 2014) .

The OCAG discharges his constitutional obligation through the 10 audit directorates working under it. But there are only 129 cadre officers working in the 10 audit directories which include 30,000 of the auditable unit. On behalf of CAG, the cadre officers are responsible for audit planning, to supervise and monitor, to follow up the advancement of day-to-day audit on field level audit team and to scrutinize the audit done by the audit team at the local level. Having inadequate manpower in a managerial position in OCAG, the field level audit team cannot accomplish their supervision work properly(Roy, 2015). Consequently, the large numbers of institutions in the field level are audited with the audit team comprising with 4/5 junior audit officials who have been promoted from the rank of the clerk. However, there are shortages of junior audit officer in OCAG also(Roy, 2015).

Therefore, it is difficult to complete the large volume of auditee institution in due time properly with such inadequate manpower in the CAG office. For example, in local government and revenue audit directorate have a total of 40 audit team to accomplish audit on 12,000 audit unit and every audit team takes on an average at least 7 working days to audit in an institution[2]. In that respect, only 1371 auditee institutions can be audited in a year which 11.42% of total audit unit(Roy, 2015). The CAG of Bangladesh opined on this issue, "With the shortage of manpower, we are trying to do our duty as per the constitutional mandate given on it. We have been able to conduct a maximum of 25% of a large number of audit units in a financial year. The rest of 75% have been done in the next financial year accordingly as biannual or triennially"(Ahmad, 2015).

The performance audit or value for money audit is not held regularly in a comprehensive manner by CAG because of its shortage of specialized and technical manpower in the audit department. As a result, a performance audit is done on a very limited scale. Therefore, Financial and Compliance audit is done with the inadequate and less skilled manpower having very general academic background those who have no specialized knowledge on auditing except for some training given by OCAG. Consequently, the CAG office failed to ensure up-to-date audit for all audit units in every financial year. Not only were these but they also dealing with a huge backlog for nearly 10 years old. The traditional method of auditing was one of the main reasons for creating huge backlogs.

---

from a recognized university. Candidate having one more third class in any level is not eligible to apply in BCS examination.

[2] The total working day considered 240 days in a year as 104 days counted as weekly holiday and 21 days counted as others government holiday.

Therefore, "The audit office conducted sample or test audit based on the significance and character of concerned audit population as it is not possible to conduct the audit for all the audit units with inadequate manpower. As a result, the quality of the audit is compromised a little bit in comparison with international audit standard."(H. U. Khan, 2014). The CAG of Bangladesh mentioned, "In current FY (2015), we are discussing on the audit reports of 2011-1012 and 2012-13FY.In addition to that our annual budget is increasing at least 30% every year. As a result, the audit volume is increasing gradually and additional manpower is badly needed to audit a large number of audit reports" (Ahmad, 2015). So the shortage of manpower affects the audit process of CAG and it reduces the effectiveness of PAC as a whole.

Inadequate Functional Independence of OCAG

In Bangladesh, the constitution provides adequate independence to the CAG of Bangladesh. CAG has the freedom to determine the extent and scope of the audit and has unrestricted access to all documents required for carrying out the audit. But the independence of SAI has been hampered as it has to depend on the executive in respect of recruitment of staff and annual budgetary aspect. According to article 131 of the constitution, 'the public accounts of the Republic shall be kept in such form and manner as the Auditor-General may, with the approval of the president, prescribe'. However, the Ministry of Finance amended paragraph 4 of 'Additional Function Act 1974' by paragraph 3 of the 1983 Ordinance. The amended paragraph 4 states "the Auditor General shall, form the accounts kept by him and by other persons responsible for keeping public accounts, prepare annually appropriation accounts and finance accounts showing disbursement for the government, distinguished under the respective heads thereof, and shall submit these accounts to the President, determine". Therefore, the CAG has the responsibility of compiling Appropriation Accounts and Finance Accounts from the accounts kept by him and any other persons responsible for keeping government accounts and placing them before the President. Even, it was strengthened the mandate of CAG to prepare the Appropriation Accounts and Finance Accounts.

But in the Section-3A[3] of the amended Ordinance (Comptroller and Auditor-General (Additional Functions) Ordinance, 1983) stated that the government can suspend all authorities and power given to the CAG if it is needed. Based on this amendment in 2002, the Ministry of Finance (MoF) issued an executive order which stated that under the powers given in paragraph-3 of the amended Ordinance of 1983, the government has decided to separate accounting function from audit and to remove the office of the Controller General of Accounts (CGA) from CAG's organogram to place it directly under the Finance Division. Accordingly, the Ministry of Finance laid down the Chief

---

[3]. "3A. Expenditure-The Government may, subject to such conditions as may be specified therein, direct that all or any of the provisions of this Act shall not apply in respect of such Ministry, Division or Office of the Government as it may specify. [Section 3A was inserted by section 2 of the Comptroller and Auditor-General (Additional Functions) (Amendment)" Ordinance, 1983 (Ordinance No. XXVIII of 1983)]

Accounts Officer of OCGA under the control of the Finance Ministry which has originally been controlled by the OCAG before (Ataul Hakeem, 2013). According to this amendment, the government can issue an order that any spending ministry or government office can be exempted by the jurisdiction of the 1974 Act. But this amendment clashes with Article 127, 128 and 131 of Bangladesh Constitution(Ataul Hakeem, 2013). It should be noted that in the similar 1971 Act of India, the condition that the President shall discuss with the CAG has been included by understanding the fact that the comptrollership is inherent of CAG's mandate as stated in the constitution. But in case of Bangladesh, 1983 Amendment Ordinance being inconsistent with the principal of the constitution of Bangladesh because the constitution was not amended and /or CAG was not discussed with before adding this clause to the Additional Functional Act of 1974(Ataul Hakeem, 2013). Even, the amendment made in paragraph 2 of the 1983 Ordinance has not been provided with the MoF with the authority to separate accounting functions from the office of Comptroller General of Accounts (CGA) and directly placing under finance division by removing it from CAG's organogram. So it would be a kind of encroachment of CAG's constitutional mandate if the Ministry of Finance issues the posting order of CGA and thus affect CAG's authority of prescribing the manner of keeping accounts.

It is important to mention here that the Audit Act is not passed yet by parliament though it has been suggested by various INTOSAI Congresses (Section-5 of Lima Declaration, Principal-1 of the Mexico Declaration on "SAI Independence") for a long time to ensure operational independence of CAG. Several attempts were taken to make this Act even, it was drafted by the MoF in 2008 but lack of unwillingness of the executive, and it remained in the less priority list of MoF. Absence of this Audit Act, OCAG is not enjoying its full constitutional mandate and jurisdiction. For example; CAG cannot take direct action against any audit objection if anyone does not properly cooperate with him. Therefore, the CAG has to depend on PAC for every audit objection (major/minor objection) to settle it appropriately(Ataul Hakeem, 2013). It is one of the reasons to increase the volume of audit objection of PAC. After passing this law, CAG will enjoy more independence as to the recruitment of its staff, development of its follow up mechanism and legal jurisdiction. While asking about the Audit Act to Dr. Mohiuddin Khan Alomgir, MP and the Chairman of PAC in 9th Parliament, mentioned, "PAC is working based on audit reports submitted by the CAG. But lack of Audit Act, CAG faces some limitations regarding its legal jurisdiction. So it is badly needed to pass the audit act for conducting audit properly. Unfortunately, it is not passed yet. We are looking to pass it very soon" (Alomgir, 2014).

Last but not the least, it can be said comparing with the basic principles of the INTOSAI and the Lima Declaration of Guidelines on Auditing Precepts, the CAG of Bangladesh enjoying well defined constitutional mandate but it has some operational and structural barrier like financial dependency on the executive, inappropriate legislation and shortage of adequate manpower which hampered the functional independence of CAG.

Behavioural Challenges

The behavioural challenges include the social standing of the members (occupation, education, the experience of the members, and leadership role of PAC chairman); nature of the political system, political culture, nature of bureaucracy, executive-legislature relations. Challenges regarding behavioural aspect are mentioned below:

Social Standing of PAC Members

The social standing of PAC members imposes a serious challenge of PAC to play its effective role in the eighth and ninth parliament of Bangladesh.

Occupation of PAC Members

Regarding the professional background of the MPs, it is seen that businessmen and industrialists dominated all the parliaments since the first parliament. This domination also appeared to be more entrenched in the eighth and ninth parliament than in the past. Such social composition of the MP's in the parliament also reflected in the composition of the PAC. The highest number of PAC members in eighth and ninth parliament appointed from business or industrialist profession (eight parliament 46.66 % and ninth parliament 40%) and the number of professional politicians are seen very poor in percentage in both the parliaments(Saleh, 2020). The former civil-military bureaucrats were also quite high in the PAC of seventh, eighth and ninth parliaments, especially compared to their number in the JS. Thus professional varieties of members (especially increasing numbers of businessman and industrialist) impose their influence in the decision of the committee in favour of their interest. Besides the members coming from business or industrialist profession are more interested to give more attention to their commercial gain than in the committee or other parliamentary activities. Even they do not have a better understanding of their due roles. The members of the business, industrialist, lawyer and retired civil/military background also feel less interest to participate in the committee meeting regularly. For example, the attendance of the eight PAC members in ninth parliament Mr. Md. Abdus Shahid MP, Mr. Salah Uddin Quader Chowdhury MP, Dr. T.I.M Fazlay Rabbi, MP, Mr M.K. Anwar, MP, Mr Md. Sayedul Haque, MP, Mr A.K.M. Rahmatullah, MP, Major General Abdus Salam, MP, Mr. Dhirendro Chandro Debnath, MP secured very poor attendance in the meeting. The level of their presence was below 50 per cent(Saleh, 2020). In the eighth parliament, three members Mr. Showkat Ali, MP, Kazi Shah Mofazzel Hussain and Dr. Ziaul Haq Mollah secured very low score in the attendance as they were present only 13%, 40% and 44% respectively of the total meeting. So the occupational background of the member seems like a challenge of PAC to play its role effectively.

Education of PAC Members

Level of education is also appears as a challenge of PAC to ensure its role effectively. The level of the educational background of PAC members in eighth and ninth parliaments revealed that the highest 73.33% members of PAC in the eighth parliament

and 60% in ninth parliament had a post-graduate level of education. 26.6% members of PAC in the eighth parliament and 33.3% members in ninth parliament having a graduate level of education. But in ninth parliament, 6.7% members of PAC who had completed the undergraduate level of education only(Saleh, 2020). Level of education helps the members to understand their role in the committee and also enhanced the capacity. Members who have a low level of education do not understand their desired role and remain inactive in most of the meetings. So the level of education is also appearing as a challenge to PAC.

Experience of PAC Members

To explore the parliamentary experience of the MP's in the ninth parliament, the study found that more than 50 per cent of MPs elected as fresher's who have no previous experience. But in the eighth parliament, we found a higher percentage of MPs were elected with two or three times previous experience(Saleh, 2020). Personal experience of PAC members imposes a challenge in the performance of the committee. It is seen from the personal experience of PAC members that among eighth and ninth parliament, only 20% PAC members in the ninth parliament were experienced to work in PAC previously. However, members experience to work in DPC was highest (86.6%) in the ninth parliament and 40% in the eighth parliament. On the other hand, only 26.66% and 33.3% members in eighth and ninth parliament were experienced to work as a minister in the previous parliament(Saleh, 2020). In addition to that, it is seen that several PAC members in the eighth and ninth parliament who have one more time experience to be elected as an MP in various parliaments. In eighth and ninth parliament, 6.66% and 13.33% of PAC members have the experience to be elected as an MP more than five times, 26.66% and 20% of PAC members have the experience to be elected as an MP more than four-time, again, 26.66% and 20% PAC members were elected for the third time and 20% members in both parliaments were elected for the second time as an MP(Saleh, 2020). On the other hand, in the eighth and ninth parliament, there were 20% of PAC members who were a newcomer in the parliament and appointed as a PAC member for the first time(Saleh, 2020). This variation of the level of experience makes a versatility of PAC role in eighth and ninth parliaments of Bangladesh. Surprisingly, it is found in both the eighth and ninth parliament that the most experienced members who have a record to be elected one more time (2nd to 6th term) as an MP have less interest to participate in the meeting and secured very poor attendance (1.6-46%) in the PAC meeting (Saleh, 2020).

Leadership Role of the PAC Chairman

The failure or success of the committee largely depends on the role of the leadership of the committee chairperson. The chairperson works as a linchpin of the committee and motivated his/her members to perform the desired duty properly. Besides the chairperson of the committee makes a team spirit among the members that create a congenial environment to work with and to make a decision based on consensus. The role of the chairman of the committee is very important for an effective PAC. If we look at the performance of PAC in 7th, 8th and 9th parliament, it seems that the PAC in 7th and 9th

parliament was more effective in terms of its number of meetings, reports and its way of working than that of the eighth parliament. The reason behind the successful operation of PAC in 7th and 9th parliament is nothing but the leadership role to coordinate the committee by the chairpersons. Mr. S.M Akram, MP and Dr. Mohiuddin Khan Alomgir, MP was chaired the PAC in 7th and 9th parliament respectively. Both were ex-veteran bureaucrats and experienced to deal with the issue like audit when they were in service. So they had practical experience and knowledge about the ins and outs of the possible complications that are raised from government official/departments. Mr. Mohiuddin Khan Alomgir, MP, the chairman of PAC in the ninth parliament was working efficiently through his dynamic leadership. As a result, the PAC resolved 98% backlog issues in the ninth parliament which was the significant achievement in the history of PAC in Bangladesh (Saleh, 2020).

On the other hand, Advocate Haroon Al-Rashid, Chairman of PAC in the eighth parliament, having fifth term experience as an MP, the PAC did not achieve its desired success under his leadership. It is because of the absence of experience and strong political leadership. "The chairman of PAC must know about the financial regulation and to know how to spend money from government purse so that he may easily find out which one is objectionable item and which one is not. Ex-government officials have those practical experiences to deal with so many complications in his/her service period that an advocate or other professionals may not have"(H. U. Khan, 2014). "Chairperson appointed from other professions also may have such skills but it takes time to understand all the procedures regarding PAC activities" (H. U. Khan, 2014). While asking Mr. S.M. Akram about the mystery of his successful leadership as a chair of PAC in 7th parliament, he mentioned, "As I was immediately retired from civil service and just elected and join in the parliament as MP. I had an added advantage that all the secretaries/ head of the ministries/departments were my ex-colleagues/batch mates or immediate juniors in civil service. They considered me as their friend. So when the committee delivered any recommendation against audit objection placed to the table of PAC against ministries/ departments, as a chair, I used my relations with them to follow up the status of the committee recommendations. Therefore, they seriously informed me about the progress of the given recommendations officially" (Akram, 2014). On the other hand, I was very much harsh about the regulation and discipline of the committee and I enjoyed my full jurisdiction in a very proactive manner. Besides, "I was strict to ensure the attendance of the head of ministries/departments. If the secretary /head of the department sent his deputy/ next man, I did not make the meeting at all. Secretary must come and have to report to me and thus I ensured it", he added(Akram, 2014). Therefore, to appoint a chairperson with strong leadership quality is a challenge for an effective PAC in Bangladesh.

Nature of Political System in Bangladesh

Bangladesh installed a multiparty parliamentary democracy since its maiden journey in its newly framed Constitution of 1972. The fourth amendment of the constitution of

Bangladesh converted a parliamentary system to a presidential one. Subsequently, democracy in Bangladesh witnessed difficult periods as the changes in government were not always smooth enough. There were records of both constitutional and unconstitutional means during such changes which greatly influenced the political culture and affected the democratic process of Bangladesh. However, Bangladesh reinstalled the parliamentary democracy following the Westminster types of a democratic system with the Twelfth Amendment of the constitution. The nature of the state is unitary in a form with a unicameral parliament. According to the norms of Westminster system, the President of Bangladesh is in the position of the titular head of the state and exercises the nominal powers of the state that conferred and imposed on him by the Constitution and by the laws. The President shall act following the advice of the Prime Minister. As the head of the Executive, the real executive powers of the Republic are vested and exercised by the Prime Minister with his cabinet. The cabinet remains collectively responsible to the parliament and it holds the office as long as it enjoys the confidence of the legislature. The Parliament of Bangladesh is known as *the Jatiyo Sangsad* is vested all the legislative powers of the Republic. It composed of 300 members with 50 additional seats reserved for the women to be indirectly elected by the Members of the Parliament. The Judicial branch comprised the Supreme Court and other subordinate courts. Supreme Court of Bangladesh is the apex court of Bangladesh comprised with the Appellate Division and the High Court Division. The functional independence of the judiciary is recognized by the provision of the constitution article 94 (4).

Formally, the political system of Bangladesh retained all the features of a parliamentary system. But, on closer scrutiny, it has been observed that incomplete adjustment was made while changing from a presidential to a parliamentary system with the Twelfth Amendment of the constitution(Bank, 1996). It provides unusual powers to the position of the prime Minister. With the introduction of the parliamentary system, the levels of control enjoyed previously by the president were simply transferred to the prime minister without making any significant modification(Saleh, 2020). The position of the prime minister became an extremely powerful one. The constitutional measures (Article 70) which would not allow party members to vote against the party decision in the parliament(Constitution, 1996). In addition to that, lack of democratization within the political parties in Bangladesh makes this situation more formidable as the party chairman and the prime minister remains the same person. The nomination of the candidates ultimately depends on the endorsement of the chairperson of the party. Absolute personal loyalty towards party stalwarts and the party is considered as the prime criteria of the major political parties for getting the nomination in the next election(Saleh, 2020). As a result, after being elected, it is being merely possible for an MP to work independently out of the party decision.

Moreover, the election procedure of the president being made in such a way that a person could not be elected as president if he/she did not choose and permitted by the prime minister because of his majority in the house. Thus, the scope for being elected an impartial head of the state has become absent as it is considered as one of the significant

features of the parliamentary system. Prime minister as the leader of the house controlled the legislative agenda also. As a result, the inherent power of the legislature is being limited and impotent by the unlimited power of the prime minister(Saleh, 2020). The judiciary is not free from the interference of the executive also. The debate on the verdict of the Sixteenth Amendment of the constitution may be referred here as an example where the then Chief Justice of Bangladesh had to resign in that regard. So having structurally well designed political system in Bangladesh, in practice it is lacking the application of separation of powers; rather, the dominance of the executive is overlapping with the other branches. As a result, the process of institutionalization of several branches of the political system being jeopardized and lost its intrinsic capacity to work as an effective organization. In such circumstances, it appears as a challenge to the MPs as well as members of PAC to work independently and impartially with utmost professionalism. The members of the PAC are also working in such ground realities in the political system of Bangladesh. So it also appears as a great challenge for PAC and its members.

Nature of Political Culture in Bangladesh

Political culture shapes and constrains the way people of a country practice their politics. Therefore, the possibility of effective democracy and accountability in a country depends on its generic political culture. In a developed and functional democracy, its political culture includes active and informed citizenship, tolerance of opposition views and parties, and of minorities, pragmatism and flexibility, willingness to compromise, mutual trust and belief in compromise, believe in the legitimacy of democracy, healthy skepticism toward authority: neither "blindly submissive" nor "hostilely rejecting", accountability culture, etc. (Saleh, 2020).

Bangladesh emerged as a sovereign and independent nation with a golden vision to be a society based on democracy, socialism, secularism and nationalism. With such a vision, the constitution-makers inserted all the component of true democracy in its newly formed constitution. Subsequently, the democratic journey of Bangladesh is being jeopardized repeatedly by the unconstitutional intervention of a military dictator. As a result, there was a paradigm shift in the political culture of Bangladesh as democratic norms and values were disrupted by the long military rule. Later, Bangladesh again returned in the democracy after the downfall of military ruler H.M Ershad by the mass upheaval in 1990. Though democracy came back in the country the dynamics of a democratic society did not come back. The impacts of a long time unconstitutional and unaccountable rule remained embedded in the society(Saleh, 2020). It has several aspects among them; the absence of accountability culture is very significant. It has a chain relation among such impacts in society. Lack of accountability culture encouraged to practice corruption, violence and criminalization in the politics. Alleged criminal and owner of black money entered into politics and took the incentives of an open and free democratic system(Saleh, 2020). Some new features have been added in the political culture of Bangladesh: lack of democracy in the party structure, the introduction of the ascribed pattern of leadership, unfair and undemocratic nomination process; disregarding the candidacy of the dedicated

workers rather businessman and retired civil-military bureaucrats are getting priority in the nomination, political parties collecting finance from an improper manner, the ceiling on electoral expenditure often crosses the limit because of deadly political competition and nature of confrontational politics, electoral violence is becoming a regular scenario in the country, boycotting election results by the major opposition party, lack of political consensus among the parties on the issue of power transformation as well as other national interest, lack of trust and confidence among political parties, etc. are the common features of the political culture of Bangladesh(Saleh, 2020).

Regarding the above mentioned political culture of Bangladesh, it is a challenging job for the PAC to make an accountability culture and to ensure the financial accountability of the government.

Nature of Bureaucracy in Bangladesh

The bureaucracy in Bangladesh is the successor of colonial administration in British-India. The main responsibilities of the colonial administration were to collect revenue and to the maintenance of law and order situation. It was used as an instrument of imperial exploitation in the colony (Hasanuzzman, 1988). Their role was as like as the guardian of the masses and exercising the formal power of the state also. Thus, "a tradition of the high degree of centralization, strict adherence to rules and exercise of discretionary powers, gradually developed in the ranks of the bureaucracy which enabled the bureaucrats to enjoy great prestige and considerable freedom from political interference"(Hasanuzzman, 1988). During the Pakistan regime, the bureaucracy had a special role in the exercise of state power as there was a military rule for a long time. The regime created a society in which any form of political activities was banned, opposition voice was highly suppressed, politicians were frequently prosecuted, and any form of a trade union was not allowed. It created such a society without politics where the state apparatus was all-powerful(Hasanuzzman, 1988). So the legacy of colonial administration remained unchanged in Pakistan period. After the independence of Bangladesh, the tradition to exercise unlimited power by the bureaucracy was being controlled because of the democratic political atmosphere, strong political authority though most of the bureaucrats at that time were recruited and trained up during Pakistan regime and inherited the rigid and all-powerful tradition from Pakistan(Hasanuzzman, 1988). Subsequently, the democratic journey of Bangladesh was being disrupted and Bangladesh entered into an authoritarian rule for a long time under the military dictators. As there was no scope for the political leadership to lead the country, the country was ruled by the coalition of the civil-military bureaucrats. As a result, the bureaucracy in Bangladesh appeared as a powerful institution in controlling the state affairs and several retired civil-military bureaucracies hold the top positions of the state(Hasanuzzman, 1988). Even they join in the political parties and hold the important position also. Thus, the role of the bureaucracy gradually established in controlling the state affairs which defined some scholars as to the "overdeveloped bureaucracy"(Hasanuzzman, 1988). The scenario did not change while the democracy reinstalled in Bangladesh after the downfall

of General H.M Ershad. The post 90's democratic regimes failed to control the syndrome of overdeveloped bureaucracy rather they emerged as important factors for implementing the development activities of the government. The governments of post 90's regimes depend on them for achieving their desired success which will be a determinant to win in the next election. Therefore, the politicization of bureaucracy lost their professionalism, neutrality and breakdown the chain of command in service(Hasanuzzman, 1988). As they tend to have a strong adherence to rules, they are professionally very efficient to prolong or to bypass any serious decision of the political leaders and took the opportunity of the disunity among the politicians(Hasanuzzman, 1988).

In such a situation, the PAC faces a serious challenge to implement its recommendations by the bureaucrats. PAC in the eighth and ninth parliament expressed their dissatisfaction to the officials of ministry/department for not complying with their recommendations. In the ninth parliament the PAC mentioned in its first report as a general observation: "There was a general apathy among the Ministries towards audit objections and procrastination on their part to take prompt action on audit reports. The Secretaries appear to be generally reluctant to discharge their responsibility as the Principal Accounting Officer of the Ministry. While attending PAC meetings, the Secretaries often do not come prepared with necessary information and documents"(PAC, 2010).The PAC in the ninth parliament also mentioned in its second report: "The ministries take a too long time to identify the persons responsible for the loss of public money and to initiate disciplinary action against them. The ministries should have a system of monitoring of the implementation of PAC directives"(PAC, 2011). The PAC in the ninth parliament also mentioned in its third report: "The Committee has observed that there is procrastination on the part of the Ministry/Division concerned in taking effective steps to implement the Committee's specific and general decisions. The Committee is advising different Ministries/Divisions, for example, the Ministry of Shipping and agencies under it and other organizations for replying to the audit objections in time and with due care or to take necessary steps as decided"(PAC, 2012) (PAC, 2012). The PAC in the eighth parliament also mentioned in its report: "It is not acceptable at all that the concerned ministry/ department have a   tendency not to dispose of the objections in their own ministry/department   following the law and regulations. The principal account officer of the ministry should take proper action in this regard"(PAC, 2005).

Executive-Legislature Relations in Bangladesh

There should have a sound relation and functional integration between the executive and legislative organ of the government for achieving their common ends. In a parliamentary system, Cabinet has exercised the real executive powers and it is also considered as an integral part of the legislature. Because the cabinet is formed with the member of parliaments except in very few instances and it remains collectively accountable to the legislature. The inseparable relationship of both legislature and cabinet thus makes a fusion of power in the parliament. Therefore, the parliamentary system of governance is explained by a 'fusion of powers' between the legislature and the executive(Khan,

2006).This fusion of power is not working in a balanced way in the parliament of Bangladesh but is tilted towards the executive (Khan, 2006). As a result, it has been observed an escalating tendency to decrease the power of the legislature and it led to the superiority of the executive. Considering the executive-legislature relations in Bangladesh, one noted scholar mentioned "the executive is dominant and the legislature is dormant" (Khan, 2006). There are several reasons for this state of affairs. The executive controls the legislative agenda. Besides the constitutional provision of article 70 limits the authority of the MP's in a manner that they have no alternative except to endorse the bill proposed by the executive (Khan, 2006). As a result, there are very few instances that an executive initiative for any issue has been unsuccessful in the parliament. Even when private members bills were introduced under such restrictive environment only a few paltry ones crossed different stages and become laws(Khan, 2006). In the budget approval process, MPs took part in the discussion on the various aspects of the budget and made suggestions for its revisions; very few of these were accepted and incorporated in the approved budget document. Several consequences of executive dominance were noticed. Legislators could not introduce bills that affected government spending or its taxation policy. They could suggest only amendments on technical grounds (Khan, 2006).

Such dominance of the executive to the legislature is allied with the power and authority vested in the hands of the Prime minister and also in his position. It happened because of the inadequate modification of the political system was accepted while shifting from a presidential to a parliamentary system in Bangladesh (Bank, 1996). In the new political system, the degrees of power were vested in the president formerly were just shifted to the prime minister without having any considerable alteration. As a result, the prime minister's position became a very influential one. "The concentration of enormous powers in the hands of the prime minister has made it difficult for the legislator to keep a vigil on the government" (Khan, 2006). The passage of anti-defection law has also induced the balance of power in favour of the executive. As a result, the legislator is not in a position to dissolve the chief executive and his cabinet with a no-confidence motion in the legislature. Besides frequent use of ordinance making power by the president at the behest of the executive has undermined the importance of the parliament(Khan, 2006).

The domination of executive over legislature also reflected in the performance of PAC. As per rules of procedure, the committee may recommend only and its implementation is dependent on the whims of the executive branch. But the PAC noted in its reports in both 8th and 9th parliament that there was a general apathy among Ministries towards audit objections and delay on their part to taking effective steps to implement the specific and general decisions of the committee. The Committee advised different Ministries/Divisions, for example, the Ministry of Shipping and agencies under it and other organizations for replying to the Audit Objections in time and with due care or to take necessary steps as decided (63rd Sitting of PAC in 9th parliament)(PAC, 2010). The PAC also mentioned in its 2nd report of 9th parliament that the secretaries appear to be generally reluctant to discharge their responsibility as the Principal Accounting Officer of

the Ministry. While attending PAC meetings, the Secretaries often do not come with necessary preparation, information and documents (PAC, 2011). The Committee in 9th parliament gave clear instruction that the Secretaries of Ministries/Divisions along with the concerned Heads of the Agencies must be present in the Committee meetings while discussing audit reports (PAC, 2011).

The Committee criticized non-implementation of, and slow action in and implementing its recommendations. Besides, the PAC noted with concerns that the Ministries/Divisions took a long time to identify persons responsible for and to take necessary action against them. Subsequently, even if departmental action or legal actions are filed, it is not certain that the responsible persons are being punished or are required to repay the public money lost or wasted because of their fault. This kind of mismanagement is a challenge to ensure financial discipline and creates opportunities for the spread of corruption. The Committee recommends that the names of the officers/staff of the audited entities that are connected with the objections should be published (PAC, 2012).

While asking to Dr. Akber Ali Khan in an interview session about the apathy from the secretaries of different Ministries, he said, "It depends on the personality of the chair of PAC"(A. A. Khan, 2014) . According to Mr. Ali Imam Majumder, "Secretary have to accomplish a large volume of the task and if he has a meeting with Prime Minister's office at the same time or he has another meeting at the same time then he will have to choose the priority of meetings with PM. So, in that case, he may not attend the meeting of PAC physically but may send his representative on behalf of him. But sometimes, the PAC members feel a kind of complex in mind and expose their superiority to order that the secretary must present at the meeting physically. This kind of mentality may make a personality clash among the executive and legislative branch" (Majumder, 2014). While talking with the former MP and Chairman of PAC in 7th parliament Mr. S.M Akram about the personality clash and mental frame of PAC members, he said, "It depends on the person who is in the chair and how much administrative capacity and personal weight he carries actually" (Akram, 2014). When he was the chairman of PAC in 7th Parliament, he managed his relationship with bureaucracy by his capacity as he was a former bureaucrat and he had lots of friends and colleague at that time working different ministries as a secretary. As a result, the PAC in the 7th parliament was seen more active than the previous one. According to Mr. Mohiuddin Khan Alomgir, MP "The parliament is sovereign and the committee is an integral part of the Parliament, so the decision of the committee is the ultimate decision of parliament and if anyone violates the decision of parliament, it may be taken legal action against the person" (Alomgir, 2014). However, he mentioned for the need of an Audit Act which will strengthen the functional power of PAC and OC& AG also. Therefore, the existing nature of executive-legislature relations also appears as a challenge of PAC to ensure its effective role in the parliament.

Recommendations to Mitigate the Challenges of PAC

To ensure the effective performance of PAC, the existing challenges of PAC should be addressed. Several measures have been taken by the Parliament of Bangladesh with the

financial assistance and technical support of WB through SPO project. Some more steps are also needed to strengthen the oversight capacity of the PAC. The implementation of the following recommendations (Saleh, 2020) may contribute to overcome the structural and behavioural challenges to make an effective PAC in Bangladesh:

- For ensuring an effective legislative watchdog in Bangladesh, some important committees including PAC may be headed by opposition senior MP who have strong leadership quality to coordinate the meeting. Appointing chairmanship from the opposition will help to establish the balance of power between the government and the opposition, and will enhance the willingness of both the members of the majority and the minority party to participate in the PAC in a nonpartisan manner.

- The chairperson of the PAC should be given proper status so that the committee may call the minister or head of the department for ensuring accountability.

- Provision should be made to ensure gender balance in the composition of the committee also.

- To appoint the member of PAC, the level of social standing should take into consideration seriously for better understanding of his role as the responsibilities of the member in PAC is technical in nature.

- PAC member should actively participate in the meeting regularly.

- In terms of creating more access to information, PAC in Bangladesh can learn lessons from the British House of Commons and Indian Parliament concerning the arrangement of the public hearing or media access in the meeting and live broadcasting through Sangsad TV as well as the availability of reports on online, through the Parliament's website.

- The committee needs its separate office space, competent staff, modern electronic apparatus and other support services. Parliament secretary needs to sketch appropriate plans to transform it into a performance-based body so that it can fulfill the needs for the parliamentarian as well as committee members.

- Parliament secretariat may arrange training sessions for the committee staffs and members to attain knowledge on the complex legislative business and to dealing with a rigid bureaucracy.

- For ensuring the effective role of the PAC, there should have a specific time frame to form the committee after the inauguration of a new parliament. The provision may be made mandatory to constitute the financial committee within a month and all other committees within three months of the inauguration of a new parliament.

- There is a common objection against the respective ministries and agencies for non-implementation of the committee recommendations. To remove this lethargic attitude, the RoP provision may be corrected. Provision should be made requiring the ministries to provide a preliminary response within 30 days of receipt of the committee recommendations and a full response within 90 days.

- The willingness of the government to make an accountability culture in the political activities, as well as public offices and the consensus among the parties in the house, may make the PAC effective and successful.

- Need to introduce an appropriate formal coordination mechanism within the committee structure can help PAC to follow up on the implementation status of the committee recommendations.

- To make a National Audit Act for a better statutory framework in accord with the International Organization of Supreme Audit Institutions (INTOSAI) auditing standards for a modern audit function. It will widen the scope and jurisdiction of CAG. In the process of auditing, the CAG will enjoy more autonomy for resolving any problem before placing to the PAC.

- To introduce a performance audit or value-for-money audit comprehensively in all the public offices that will provide independent information and assurance on achieving 3'E's (economy, efficiency, and effectiveness).

- The role of the PAC mostly depends on the quality of auditing. For ensuring proper auditing, the audit should be separated from accounts. The separation of audit functions means that the accounts and audit officers from one interchangeable cadre above the level of the superintendent should be separated into two cadres. It makes a problem when an auditor auditing the work of his cadre colleagues or even his own earlier work in an account's post. Though there is a *de facto* separation among the audit and accounts it needs formal separation for increasing auditor's professionalism.

- To recruit professional, skilled and adequate manpower in the OCAG for standard auditing in the public offices.

Conclusion

From the above-mentioned discussion, it is clear that the PAC encountered some challenges related to structural and behavioural aspects inhabiting the effectiveness of PAC's performance in both the eighth and ninth parliament. Having all these challenges, the PAC in the parliament of Bangladesh had been working according to its due mandate. It is urgently needed to make an accountability culture in all the levels of public offices as well as political institutions. Moreover, it is also imperative to strengthen the institutional capacities, to enhance professionalism, to institutionalize democracy and democratic institutions for an effective accountable system in Bangladesh. The PAC will be more effective when the above-mentioned structural and behavioural challenges will be

mitigated based on the strong political will of the ruling elite to make an accountability culture in every public office.

References

Ahmad, M. (2015). *Academic Interview/Interviewer: Author*. Office of the Comptroller and Auditor (C&AG), Bangladesh.

Ahmed, N. (2000). *Parliament and Public Spending in Bangladesh: Limits of Control*. Dhaka: Bangladesh Institute of Parliamentary Studies.

Akram, S. M. (2014). *Academic Interview/Interviewer: Author*. Uttara Model Town, Dhaka, Bangladesh.

Ali, A. (2014) *Academic Interview/Interviewer: Author*. Purana Polton, Dhaka, Bangladesh.

Alomgir, M. K. (2014). *Academic Interview/Interviewer: Author*. Gulshan-1, Dhaka, Bangladesh.

Hakeem, A. A. (2013). Public Financial Management: The Role of Supreme Audit Institution (SAI) of Bangladesh-issues & Challenges. Dhaka: The office of the Comptroller and Auditor General of Bangladesh.

Hasan, A. and Sadat, O. (1996). Bangladesh—Government that Works. *Reforming the Public Sector. World Bank Private Sector Development and Finance Division. Washington, DC.*

Bangladesh Constitution. (1996). *The Constitution of the People's Republic of Bangladesh*, Dhaka: Government Printing Press.

Diermeier, D. and Krehbiel, K. (2003). Institutionalism as a Methodology. *Journal of theoretical politics, 15*(2), 123-144.

Grendstad, G., and Selle, P. (1995). Cultural theory and the new institutionalism. *Journal of theoretical politics, 7*(1), 5-27.

Hall, P. A. and Taylor, R. C. (1996). Political science and the three new institutionalisms. *Political studies, 44*(5), 936-957.

Hasanuzzman, A. (1988). Overdeveloped Bureaucracy and Political Development in Bangladesh 'in AM Hasanuzzaman. *Bangladesh: Crisis of Political Development, 44-58.*

Hofstede, G. H., & Hofstede, G. (2001). *Culture's consequences: Comparing values, behaviors, institutions and organizations across nations*; sage.

Kamel, L. (2009). Rational choice and new institutionalism, a critical analysis. *Eurostudium*, 72-81.

Khan, A. A. (2014). *Academic Interview with Dr. Akbar Ali Khan/Interviewer: Author*. Gulshan-2, Dhaka.

Khan, H. U. (2014). *Academic Interview/Interviewer: Author*. Uttara Model Town, Dhaka, Bangladesh.

Khan, M. M. (2006). *Dominant executive and dormant legislature: Executive-legislature relations in Bangladesh*: South Asian Publishers.

Majumder, A. I. (2014). *Academic Interview/Interviewer: Author*. Uttara, Dhaka.

March, J. G., & Olsen, J. P. (1983). The new institutionalism: Organizational factors in political life. *American Political Science Review, 78*(3), 734-749.

March, J. G., & Olsen, J. P. (1994). *Institutional perspectives on governance*: Arena.

Mulgan, R. (2000). 'Accountability': an ever-expanding concept? *Public administration, 78*(3), 555-573.

PAC. (2005). *First Report of Public Accounts Committee in the Eighth Parliament of Bangladesh*. Retrieved from Parliament Secretariat, Dhaka, Bangladesh.

PAC. (2010). *First Report of Public Accounts Committee in Ninth Parliament*. Retrieved from Parliament Secretariat, Dhaka, Bangladesh.

PAC. (2011). *Second Report of Public Accounts Committee in Ninth Parliament*. Retrieved from Parliament Secretariat, Dhaka, Bangladesh.

PAC. (2012). *Third Report of Public Accounts Committee in Ninth Parliament*. Retrieved from Parliament Secretariat, Dhaka, Bangladesh.

PAC. (2013). *Forth Reports of Public Accounts Committee in Ninth Parliament*. Retrieved from Bangladesh Parliament Secretariat, Dhaka, Bangladesh.

Pelizzo, R., Stapenhurst, R., Sahgal, V., and Woodley, W. (2006). What makes public accounts committees work? A comparative analysis. *Politics & Policy, 34*(4), 774-793.

Putnam, R. D., Leonardi, R., and Nanetti, R. Y. (1992). *Making democracy work: Civic traditions in modern Italy*: Princeton university press.

Pyper, R. (1996). *Aspects of accountability in the British system of government*: Liverpool Academic Press.

Roy, D. (2015). *The Office of the Comptroller and Auditor General (OCAG): Governance Challenges and Way Forward*. Retrieved from Bangladesh: https://www.ti-bangladesh.org/images/2015/es_ds_cag_15_en.pdf

Sabha, L. (2019-20). *Public Accounts Committee, Second Report (Seventeenth Lok Sabha) on Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Ninety-fifth Report(Sixteenth Lok Sabha) on 'Health and Family Welfare' relating to the Ministry of Health and Family Welfare*. Retrieved from Lok Sabha Secretariat, New Delhi: https://eparlib.nic.in/handle/123456789/787646?view_type=search

Saleh, M. A. (2020). *Ensuring Government's Financial Accountability: Role of Public Accounts Committee (PAC) in 8th and 9th Parliament of Bangladesh*. University of Dhaka.

Selznick, P. (1996). Institutionalism" old" and" new". *Administrative science quarterly*, 270-277.

Stapenhurst, R., Pelizzo, R., & O'Brien, M. (2012). *Ex post financial oversight: legislative audit, public accounts committees.... and parliamentary budget offices?* . Paper presented at the Assessing the Impact of Fiscal Councils on Fiscal Performance-First Attempts in OECD Parliamentary Budget Officials and Independent Fiscal Institutions, OECD Conference Centre, Paris.

Thompson, M., Ellis, R., and Wildavsky, A. (1990). Cultural Theory (Boulder, CO: Westview Press.

Examining Disparities and Bias in Educational Approaches for Men and Women in Rousseau's Emile

Tarana Begum[*]

Abstract

Rousseau's philosophical masterpiece "Emile" provides an educational philosophy based on the distinct caring roles and abilities of men and women. He believes that women's education should differ from men's, with a focus on cultivating emotional and intellectual maturity. This qualitative study examines Rousseau's support for gender-specific education for women and goes into feminist historians' criticisms of his idea, most notably Mary Wollstonecraft. While "Emile" advances significant approaches in male education, it also limits women's prospects to the home realm. The journeys of Emile and Sophie highlight a fundamental disparity coming from the complex difficulty of educating women within cultural constraints, a situation that resonates throughout nations. Rousseau proposes postponing formal education until children achieve rational maturation, allowing them to explore and cultivate their inherent curiosity and creativity. The idea of excluding women from formal education in favour of segregated arrangements is intrinsically anti-feminist.

Key Words: Education, Emile, Gender-segregated education, Rousseau, Sophie, Women's learning.

Introduction

Influential 18th-century philosopher Jean-Jacques Rousseau had a significant impact on educational philosophy, and his views on gender roles and education have been the subject of extensive debate and criticism. This article analyses Rousseau's educational philosophy, including his views on the education of men and women, gender segregation, and feminist and scholarly criticism. Feminist academicians criticise Rousseau's views on women's education by highlighting historical gender dynamics and patriarchal nature. Rousseau's "Emile" serves as the primary source for this analysis, which is supplemented by scholastic articles, books, and papers to obtain a comprehensive understanding of his educational philosophy. The study employed a qualitative research design to analyse and critique Rousseau's educational philosophy in depth. Rousseau's children's education policy has undergone extensive research and evaluation. Relevant scholarly publications, books, and academic papers were studied to get a comprehensive grasp of Rousseau's education concept. The collected data from both primary and secondary sources was evaluated thematically.

---

[*] Professor, Department of Government and Politics, Jahangirnagar University, Dhaka, Bangladesh, E-mail: taranalopa@juniv.edu

Rousseau is credited with the famous quotation, "Man is born free, but everywhere he is in shackles" (1979). Rousseau believed that education should emphasise the natural evolution and inherent virtues of the individual (Schaeffer, 2013). He stated that children are born good and pure, but that society can undermine these traits. Therefore, rather than imparting external principles, the purpose of education should be to preserve and cultivate their inherent characteristics. Rousseau believed that education should be individualized and tailored to each child's specific requirements and interests. He emphasised the superiority of hands-on learning and direct experience over memorization and abstraction. He advocated "learning by doing," in which children actively interact with their environment and discover and learn from their own experiences. Rousseau believed that a child's formal education should be delayed until he or she attained a certain level of maturation and reasoning. Prior to that, the child should be free to explore and cultivate their intrinsic curiosity and creativity. Rousseau advocated a stage-based educational system, with each stage corresponding to the cognitive and emotional development of the neonate (Vaughan, 1915). Emile makes a clear distinction between the education of men and women (Scott, 2104).

He advocated restricting women to the domestic sphere and did not support gender equality. According to Fralin (1978), Rousseau believed that women should confine their activities to the confines of their homes. (Bernstein, 1971) In the political arena of the time, these two competing positions reflected opposing viewpoints. He believed that Emile needed companionship, so he brought Sophie to console him. "It is detrimental for man to be alone. He is a male. We have promised him a companion. He must receive her as a gift. Sophie is the companion (Rousseau, 1979).

The purpose of this study is to examine the applicability of Rousseau's educational theories to contemporary practices. Despite the passage of years, his ideas about education for men and women are still important, especially since there are still differences in education between men and women. In addition, the study intends to examine how Rousseau's ideas influenced post-revolutionary France and the opposition posed by women such as Mary Wollstonecraft. Through Rousseau's ideas on women's education, we may understand society's expectations and the historical backdrop of gender-based educational standards.

Rousseau's Educational Philosophy in Emile

Emile, or On Education, by Jean-Jacques Rousseau is a thesis on the nature of education and the character of man. Emile was banned and publicly burned in Paris and Geneva in 1762 because of a portion of his work titled "Profession of Faith of the Savoyard Vicar" (Bernstein, 1971). Emile is not a comprehensive parenting manual, but it does provide some particular suggestions on child-rearing. Rousseau described a lifelong education in Emile. Children will first learn from nature and later from reason. Emile learned through his interactions with objects over the first twelve to fourteen years of his life. He requested that he be kept dependent on things. During this time, Emile receives a "negative" education, i.e., a "non-social" preventive education that is markedly different

from standard concepts of education in that reading and writing play virtually no role (Greentree, 2017).

Emile's text is divided into five books: Books I, II, and III are about Emile as a kid; Book IV is about Emile as an adolescent; and Book V is about Emile's education, home, and civic life. Rousseau outlines how one might nurture a child in accordance with such ideology in Book I. He begins with the physical and emotional development of the baby and child. Book II concentrates on the child's initial encounters with the outside world (Rousseau, 1979). He thought that at this time, children's education should be based less on books and more on the child's interaction with the world, with a focus on developing the senses and the ability to draw conclusions from them (Rousseau, 1979). Book III is all about deciding on a deal. Rousseau felt that acceptable role models should teach the kid a manual skill that is appropriate for his gender, age, and interests. Emile will be ready for the final stage of his schooling when he is physically robust and begins to pay close attention to his environment. He will grow into a caring and sensitive creature capable of thinking for himself. Rousseau said that when Emile is a teenager, he is only just beginning to understand complicated human emotions, notably pity. While a child cannot put himself in the shoes of others, he can be introduced to the world and socialized once he enters puberty and is able to do so (Rousseau, 1979). During Emile's adolescent years, the tutor teaches him about society and religion. According to Rousseau, babies cannot grasp abstract notions such as the soul until they are approximately fifteen or sixteen years old; therefore, teaching religion to them is risky. He claims that "ignorance of the divine is a smaller evil than offending it" (Rousseau, 1979). He claims that because infants are incapable of absorbing the intricate notions of religion, children will just regurgitate what is given to them and be unable to believe (Raillard, 2011).

Rousseau included a passage titled "Profession of Faith of the Savoyard Vicar" in Book IV, which was primarily responsible for Emile's condemnation and was the most often excerpted and published outside of its parent tome (Bernstein, 1971). The subject of his only conviction in "natural religion" provoked debate in modern France. Both secular and non-secular organisations criticise Rousseau's educational views. The Archbishop of Paris condemned his beliefs as anti-Christian, and several municipal governments in and around Geneva and Paris quickly pushed Rousseau to escape (Bernstein, 1971). At the end of "Profession," Rousseau admits, "I have transcribed this book not as a guideline for the sentiments that one should follow in religious matters, but as an example of how one may debate with one's pupil in order not to depart from the method I have endeavoured to construct" (Rousseau, 1979). "

Rousseau describes Emile's political upbringing and education in Book V. Emile was also quickly prevented from entering the nation due to his contested notions regarding universal will. During the French Revolution, Emile served as a prototype for a new national educational system. Rousseau devoted Book V to Sophie, Emile's future bride's youth. Rousseau begins his painting of Sophie, the lovely lady, in a typical manner by

emphasizing the fundamental imbalances between men and women: they are equal in terms of what they have in common. When they differ, they are not comparable. Sophie would be an ideal lady. And a perfect man should not be intellectually or physically comparable to another, because perfection is unchangeable. Everyone in a sex union contributes equally to the shared goal, but not in the same way. This variability is responsible for the first visible variance in the moral interactions of the sexes.

The basic education plan for Emile

Natural Education: Rousseau conceives of the child as a plant whose course of development is determined by nature and of the educator as a gardener whose task is to ensure that corrupt society does not interfere with that predetermined pattern of development. Rousseau strongly advocates the course of nature in the upbringing of infants. He views the strength of the body as important in the development of strength of mind and character. "The body must be strong enough to obey the mind; a good servant must be strong (Velkley, 2012; Foxley, 1911)." He longed for the independence of body and mind that physical strength could assist in procuring. He states,

"Keep your eye on nature. Follow the road she indicates. The child who has sustained hardships has gained strength. This is nature's law; why oppose it? …. Train them to endure extremes of temperature, climate, environment, hunger, thirst, and fatigue. Since human life is full of danger, can we do wiser than face danger at a time in our lives when it can do the least damage?" (Rousseau, 1911).

According to Ulich (1945), Rousseau's philosophy of education emphasises the concept of nature. Rousseau proposes an education that follows nature, one that trusts the child's spontaneous impulses and allows for natural development (Martin, 1981).

Learning Reason: Learning Reason is an important part of Emile. Emile learns to reason by seeing the necessary relations between things and between him and things. In the third grade, Emile will learn the 'reasoning of the intellect'. Only when Emile has thus reached the stage of having a rich understanding of things rather than an intellectually crippling burden of words will he, in Rousseau's opinion, be ready for "the reasoning of the intellect."

Education for the Poor: Rousseau states that the poor man has no need of education. It means he prefers different educations for elite and poor men. In saying that 'the poor man has no need of education," Rousseau is employing a focus on the ordinary course of education for the poor man receives an ordinary course of education to survive. Rusk (1955) argues that Rousseau's apology for choosing his scholar from among the rich is that "we shall have made another man; the poor may come to manhood without our help." And if Emile comes from a good family, so much the better—"he will be another victim snatched from prejudice (Greentree, 2017). "He proposes to give the sons of the rich a natural education so that whatever might befall them in later life, they would be independent of fate or fortune. It is necessary to emphasise this fact that Rousseau is expounding a universal system of education, for frequently the Emile is regarded as an

account of an individualistic scheme of education, and difficulty is thereby encountered in explaining how the democratic systems and others originated in the Emile (Rusk, 1955). Priest claims that when Rousseau states that "the poor have no need of education," this statement is not incompatible (Priest, 1961).

Moral and Social Education: Rousseau emphasised the significance of moral and social education for the development of children. He said education should foster the growth of a well-rounded individual who is capable of participating as an independent and responsible member of society. He believed students should learn empathy, compassion, and a sense of justice. A tutor will teach them compassion, and they will learn to control anger. Tutors will apply various strategies to cultivate compassion in Emile, which raises questions about whether it constitutes teaching or manipulation (White, 2008). It serves as a bridge from individuality to social order. Consequently, Rousseau considers the education of compassion as the initial step in Emile's socialisation and the foundation on which everything else depends. The effect of social and educational philosophy on France and the French Revolution was illustrative of the capability of the impact of Rousseau's writings.

Sex biases: Emile V is a treatise on education that outlines the education of Emile, representing every boy from birth to manhood. Rousseau describes in considerable detail what Emile, who apparently represents every boy, should have from childhood through maturity. The texts that mention Sophie's education do so with shame, implying that it will be quite different from Emile's (Martin, 1981). Sophie's education deviates from Emile's conventional viewpoint, which sees education as a natural process of growth and development. Rousseau's fundamental assumptions in Emile V compose an educational production model. In her landmark work, Women in Western Political Thought, Susan Moller Okin devoted numerous chapters to Rousseau's opinions. She claims that Rousseau had fundamentally different notions about Emile and Sophie's education (Okin, 1979). Okin depicts the sex discrimination in Rousseau's portrayal of Sophie. In her essay "Rousseau: Women and the General Will," Lynda Lange exposes sex prejudice in Rousseau's political philosophy (Clark & Lange, 1979). Some of the best-known collections of educational historians portray Emile's education as Rousseau's ideal for both sexes while neglecting Book V (Ulich, 1945; Masters, 2015; Rusk, 1918).

Martin's evaluation of Rousseau must take into account both Emile and Sophie. One possibility is to attach two competing notions of education to Rousseau: a natural or growing model for Emile and a production model for Sophie. Lynda Lange demonstrates the sex bias in Rousseau's depiction of Sophie. Sophie's destiny is determined not by her nature, as the standard Emile development interpretation holds, but by her function in society. It's no wonder that educational historians either ignore or dismiss Sophie as an anomaly. Rousseau's depiction of Sophie's education raises basic problems about their reading of Emile. Martin (1981) revealed the sex bias in Rousseau's educational and political thought in his masterpiece Emile. He argues Rousseau's philosophy of education is fundamentally mistaken and traces its inadequacy to its failure to acknowledge

Rousseau's discussion of the education of girls in Emile V. Rousseau's education of Emile V and Sophie is a complex issue with two approaches: a growth or natural model for Emile and a production model for Sophie. This raises questions about the interpretation of Emile and the sex bias in educational thought. Emile and Sophie's role in society portrays their education differently, making it a case study of sex bias.

Gender segregation: Natural and social women

He categorizes women into two categories: natural women and social women. Rousseau's social philosophy is founded on the premise that, in terms of love, the social woman outperforms the social male. Rousseau's classification of women as natural and social leads to the conclusion that the social woman is the most important component of his social theory. Julie in La Nouvelle Heloise is the most important to understanding his ideas since she is the only highly developed example of a corrupt social lady. Rousseau strives to eliminate "unnatural" desires in both sexes, but especially in women. Julie is inherently and irreversibly corrupt, owing to the connection between her womanly character and the surrounding culture. Rousseau's distinction between natural and social women leads to the conclusion that his social philosophy prioritizes social women to the greatest extent. According to his conviction, she is the cause of all societal inequalities. In Rousseau's writings, Julie in La Nouvelle Heloise is the only example of a fully developed representation of a morally flawed lady. The presence of women like Julie is irreconcilable with Sophie, who represents the notion of a virtuous woman in Rousseau's envisioned utopian society. Rousseau, on the other hand, believes that the fulfilment of this perfect society is unlikely as long as women like Julie remain. Rousseau's goal is to eliminate "manufactured" feelings in both genders, with a focus on the feminine gender. According to Rousseau, Julie is fundamentally and irrevocably corrupted, a condition that may be explained by the interaction between her feminine character and society's conventions.

Rousseau's statement that humans possess a "general desire to unite with each other" indicates his comprehension of the necessity of women for men's survival (Wootton, 2008). Women possess the inherent qualities of modesty and shame, as well as a proclivity towards servitude. The expectation is that a woman should conform to her husband's expectations and exhibit asexual behaviour towards all men other than her husband. The socialisation and education of women ought to be founded upon the notion that women were exclusively fashioned to gratify men and to be subordinate to them. Rousseau's conception presents certain issues, as it poses a significant predicament for women, who are deprived of the opportunity to assert their individuality and attain citizenship. Rousseau's perspective on men fails to acknowledge the ways in which women have been constrained and influenced by their socialisation and cultural milieu over the course of their existence. Paradoxically, Rousseau held the belief that while the cultivation of intellect and rationality is imperative for men, these attributes are intrinsic to women and therefore do not require instruction.

Rousseau suggests Sophie as a carer; modest and motherly, unschooled and unskilled, she strikes many as more of a plaything than a partner to Emile. Sophie gets her way indirectly through feminine wiles and cares too much about appearance and reputation to make herself an appealing role model. Emile was to be a critical, self-reliant citizen, entitled to an elaborate education and full equality with his peers. Sophie, on the other hand, was to be trained only as a wife to Emile and as a mother to his children.

Rousseau's Emile advocates gender segregation. Emil was a critical, self-sufficient citizen who deserved a proper education and equality with his classmates. Sophie was taught to be Emile's wife and mother (Wexler, 1976). Rousseau thinks Sophie is illogical. Men's education promotes freedom and independence, whereas women's education promotes submission and pleasing men (Christenson, 1972). Boyd (1963) claims that Rousseau's method of female education is an unthinking reflection of his sexist times or his own misogyny (Wexler, 1976). Rousseau's theory is best understood by ignoring female education (Weiss, 1987). Rousseau promotes Emile's physical strength via pain and exercise. He did not offer Sophie any plays. These disparities contributed to Emile's self-sufficiency and Sophie's reliance. Sophie doesn't mention such training. She learns cooking, sewing, housekeeping, and bookkeeping. Sophie seems dependent and unprepared for change, whereas Emile's trades provide him freedom and flexibility (Weiss, 1987). Emile's education tries to create a resourceful, independent thinker and doer who is as impervious to others' opinions as possible, whereas Sophie's creates a sensitive, submissive person. Rousseau opposed women in politics. He worried that women would overtake men in politics. Rousseau claims that more women entering politics complicates the situation, elevating dishonest women above corrupt males. Rousseau's new social covenant ensures the social man's political control over a social woman and forbids love, restoring his dignity.

Rousseau believes that if women had been given equal opportunities to participate in the administration of commerce and the governance of empires, it is possible that they would have demonstrated greater bravery and valour, resulting in a higher number of women achieving distinction in these fields. According to Rousseau, women have the potential to bring about substantial change in society if they are granted equal opportunities to exert their influence, similar to men. Notwithstanding any inherent biological differences between males and females, women have consistently exhibited their ability to attain greatness, despite being historically characterised as the "inferior gender. The provision of equal opportunities to women for participation in the administration of commerce and the governance of empires could have potentially led to a greater display of bravery and valour by women, thereby increasing the number of women who achieved distinction in these fields.

Critique from Feminists and Scholars

Rousseau's concise account of female education sparked a significant contemporary reaction. In her work, French writer Louise d'Epinay expressed her disagreement with Rousseau's views on female education. Louise believed that women's education impacted

their role in society rather than being solely based on natural differences, as Rousseau argued (Hageman, 1991). Rousseau's contemporary philosopher, Voltaire, criticised Emile as a whole, but he admired the section of the book that led to its banning, known as the "Profession of Faith of the Savoyard Vicar. According to Voltaire, philosophers will be more forgiving than priests (Durant & Durant, 1967). The German scholar Goethe stated in 1787 that "Emile and its sentiments had a universal influence on the cultivated mind (Durant & Durant, 1967)".

Rousseau believes that he can give back to man the freedom he once enjoyed in the earliest or most pure state of nature. Rousseau's Discourse on Inequality argues that the new social contract offers limited freedom to men through the oppression of social women, and to the degree that Sophie is unsocialized, limited freedom extends to her as well. Rousseau believes that many early civil societies were able to circumvent the rise of social woman over social man, but he also believes that as the natural power of man over woman recedes further and further into the past, contemporary societies are in great danger of becoming matriarchies, which he believes is equivalent to complete world chaos.

Rousseau's Emile has been criticised for promoting women's submission to men. Some scholars argue that Rousseau's intentions were ironic in nature. Scholars have pointed out that Emile has a problem with how women are treated in school. The present study examines Rousseau's claim that women are responsible for educating the younger generation and that they cannot think logically. Jonas (2016) claims that his educational programme for women has a serious issue in that it is overtly discriminatory. According to Rousseau, women must be taught how to seduce men and fill their lives with rewarding and delightful experiences (Jonas, 2016). Because women are fundamentally inferior to men, men should always be in positions of power. Men and women fulfil separate sex roles, according to Rousseau.

According to Smith (1996), feminists have expressed grave concern regarding Rousseau's misogyny, claiming that he intends to injure all women in order to save man or to rescue societal women from their depraved nature for the sake of man. Rousseau's point of view is that he intends to undermine societal women for their own benefit, but he does not intend to injure virtuous or natural women. The author attempts to rescue the societal woman by eradicating her unnatural sexual inclinations, which are considered to be extremely detrimental to her own and humanity's moral rectitude. To the best of my knowledge, no feminist perspective contends that Rousseau intended to protect virtuous or uncorrupted women from those who have been corrupted by societal influences.

Smith (1996) argued that Sophie and Emile are fetish subjects for Rousseau, or at least that they are close to being so. Rousseau thinks that Sophie and Emile are perfect because they don't have sexual desires, are stupid, and are honest. In this way, he treats them like fetish objects that could be used as perfect people in his future utopia. Rousseau seems to treat Sophie and Emile like sexual objects (Smith, 1996). He uses them as storage for his

own sexual urges, so he carefully gives them a strong sense of sexual shame so they can take their proper places in his vision of a utopia without passion.

The majority of feminist scholars argue that Rousseau's discriminatory philosophy is rooted in patriarchy and its inherent fluctuations for women. The act of isolating Sophie from her natural condition grants her a social significance that Rousseau did not intend for Emile. My perspective on the distinction between natural Sophie and highly socialized Julie differs from that of feminists, as I do not distinguish Rousseau's archetypal natural woman in her unaltered state of nature from Sophie.

Despite his belief that it is in Sophie's best interest, Rousseau's positioning of her in an oppressive patriarchal environment is detrimental to her well-being. Despite her lack of intelligence, it is undeniable that she is experiencing tremendous happiness in this setting. According to Rousseau, a person's lack of knowledge and limited social interaction serve as safeguards against moral deterioration. From a feminist perspective, Sophie's possible lack of awareness of her feminist identity may be attributable to her social isolation and naiveté.

One notable critic, Mary Wollstonecraft, dedicated a substantial portion of her chapter in her book "A Vindication of the Rights of Woman" (1792) to vehemently opposing Rousseau and his arguments. In her response to Rousseau's argument within "A Vindication of the Rights of Woman," Wollstonecraft directly quotes him from Chapter IV of her own work, stating:

"Emile Rousseau says, 'Educate women like men, and the more they resemble our sex, the less power they will have over us.' This is the very point I aim for. I do not wish them to have power over men, but over themselves" (Wollstonecraft, 1792). Wollstonecraft argued for a non-discriminatory educational concept that would empower women and challenge discriminatory ideologies. The Wollstonecraft-Rousseau debate on education revolved around differing views on the role of women and the importance of their education. Mary argued that women should be seen as natural carers and that education would empower them to fulfil this role effectively. Despite facing criticism during the French Revolution, Wollstonecraft's radical idea of combining men's and women's education had a significant impact on shaping the educational path for women (Okin, 1992). Wollstonecraft advocates for equal educational opportunities for women, arguing that such a step would strengthen their natural obligations (Owusu-Gyamfi, 2016). Wollstonecraft makes a proposal for an equitable educational structure directed at future generations. According to Wollstonecraft's study, the fundamental reason for women's historical marginalization and maltreatment has been a lack of educational possibilities. She advocates for more rights and educational opportunities for women. Se criticizes Rousseau's natural education in Emile in her novel Maria (the Wrongs of Woman). She offers a rejoinder to Rousseau's views on the subject of women. She argues that women possess rational faculties and can reap substantial benefits from education.

However, Rousseau and Wollstonecraft emphasise common educational beliefs with respect to children. Both underline the importance of education and children's liberty to develop in healthy circumstances. Rousseau believed that women should be educated to serve men and care for children, while men should be the main subject. Wollstonecraft, on the other hand, criticised this discriminating attitude and campaigned for women's education. Rousseau's idea devalues and objects young girls, making them simply objects of male enjoyment, according to Wollstonecraft. Mary Wollstonecraft's support for equal educational opportunities aligns with this current focus, emphasizing how such opportunities enhance women's natural responsibilities. The focus on women's education as an essential aspect of societal progress can be attributed to this debate and the ideas put forth by Wollstonecraft. Despite facing criticism from the French Revolution, Wollstonecraft's radical idea of combining men's and women's education was influential in shaping the educational path for women.

Conclusion

The significant influence of Jean-Jacques Rousseau's educational and societal views during the French Revolution cannot be overstated. Rousseau's idea of education, as expressed in "On Education," was a radical break from the conventions of his time. The continuing impact of his educational philosophy may be attributed to his prioritization of child-centred learning, experiential education, and the development of individual gifts and virtues. This approach has influenced future generations of educational reformers and progressive thinkers. The impact of Jean-Jacques Rousseau's social and educational theory on France and the French Revolution was significant. Rousseau's education philosophy, as detailed in his work On Education, was a significant break from his time's typical educational practices. The educational framework proposed by Rousseau, which emphasises the cultivation of innate virtue and potential, remains influential in current discussions around education and the growth of children.

"Emile" focuses on educational and nurturing methodologies aimed at equipping individuals with the necessary skills and abilities to flourish in a societal context. Rousseau's proposed curriculum plan is in accordance with the fundamental ideas of inherent rights. According to Rousseau, the purpose of education is to cultivate individuals who possess a comprehensive range of skills and knowledge, enabling them to make independent and accountable contributions to the betterment of society. This approach emphasises the importance of personal responsibility and the cultivation of characteristics that inhibit the use of power and instead encourage ethical conduct, empathy, and the recognition of others' autonomy. He prioritizes Emile's education while restricting Sophie to domestic schooling. He places a premium on male education and cultivates their natural way of thinking. In his book, Rousseau proposes an educational curriculum based on natural rights, underscoring the need to foster and explore an individual's inner potential. Rousseau thinks that formal education should be postponed until children reach a certain age of reason and maturity, allowing them to explore and develop their cognitive and emotional talents spontaneously. While others argue that

Rousseau's goal was not to eliminate all women or their nature but rather to protect men from corrupting influences, it is evident from his literature that he had a bias against women. The value of teaching female children has expanded throughout history. Emile focuses on educational and caring practices in order to produce people capable of living thriving lives in society. Rousseau recommended a curriculum for education based on the fundamental principles of inherent rights. Formal education, according to Rousseau, should be deferred until a child reaches a particular age of reason and maturity. Prior to that, the youngster should be able to explore and express their innate curiosity and creativity. Rousseau advocated a stage-based educational system, with each step corresponding to a child's natural cognitive and emotional growth.

Rousseau also emphasised the value of moral and social education. He felt that children should learn empathy, compassion, and a sense of justice. According to Rousseau, education should support the development of a well-rounded individual capable of contributing to society as an autonomous and responsible citizen. It emphasises personal responsibility and the development of qualities that encourage non-domination, in which citizens will be ethical, compassionate, and respectful of others' independence. He also argues that there are many stages of socialisation, with each level corrupting the individual more severely. His most prominent manifestation is Emile, which ensures social man's political control over the social woman and bans the moral element of love.

References

Arenberg, N. (2000). Subversive Politics in Rousseau's La Nouvelle Héloïse: Gender, Sex and the Marginalized" Feminist" Voice in Claire's Missives. *Women in French Studies*, 8(1), 116-128.

Bernstein, S. S. (1971). *Jean Jacques Rousseau; his philosophy of education* (Doctoral dissertation, California State University, Northridge).

Bloom, A., & Rousseau, J. J. (1979). Emile, or on Education. *New York: Basic*.

Boyd, W. (Ed.). (1956). *The Emile of Jean Jacques Rousseau: Selections*. Bureau of Publications, Teachers College, Columbia University. (Selections Translated and Edited).

Chase, D. M. (2001). Mother Nature and the Nature of Woman: Rousseau's "Nouvelle Héloïse" and the novels of Sophie Cottin and Adélaïde de Souza. Columbia University.

Christenson, R. (1972). The political theory of male chauvinism: JJ Rousseau's paradigm. *Midwest Quarterly*, *13*, 291.

Clark, L. M., & Lange, L. (1979). The sexism of social and political theory: Women and reproduction from Plato to Nietzsche.

Durant, W., & Durant, A. (1967). *The Story of Civilization: Vol. 10: Rousseau and Revolution*. Simon and Schuster.

Fralin, R. (1978). The Evolution of Rousseau's View of Representative Government. *Political Theory*, 6(4), 517-536.

Hageman, J. K. (1991). " *Les Conversations d'Emilie"*: *The education of women by women in eighteenth century France*. The University of Wisconsin-Madison.

Jimack, P. (1983). Rousseau: Emile. Valencia: Grant & C.

Jonas, M. E. (2016). Rousseau on sex-roles, education and happiness. *Studies in Philosophy and Education, 35,* 145-161.

Martin, J. R. (1981). Sophie and Emile: A case study of sex bias in the history of educational thought. *Harvard Educational Review, 51*(3), 357-372.

Masters, R. D. (2015). *The political philosophy of Rousseau.* Princeton University Press.

Okin, S. M. (2013). *Women in western political thought.* Princeton University Press.

Owusu-Gyamfi, C. (2016). Who Won the Debate in Women Education? Rousseau or Wollstonecraft?. *Journal of Education and Practice, 7*(6), 191-193. www.iiste.org

Pateman, C. (1989). *The disorder of women: Democracy, feminism, and political theory.* Stanford University Press.

Priest, T. A. (1961). Rousseau on Universal Education. *History of Education Quarterly, 1*(1), 32-34.

Raillard, S. L. (2011). *Perilous pedagogies: Female education questioned in the epistolary novels of Rousseau, Laclos, Sade, and Charriere.* Columbia University.

Rousseau, J. J. (1911). Émile, or On Education, trans. Barbara Foxley. *London: JM Dent and Sons.*

Rusk, R. R. (1955). *Doctrines of the Great Educators,* 2nd Ed. MacMillan and Co.

Rusk, R. R. (1969). *The doctrines of the great educators.* London: Macmillan.

Schaeffer, D. (2013). Rousseau on Education, Judgment, and Freedom. State College: Penn State University Press.

Scott, J. T. (2014). The Illustrative Education of Rousseau's Emile. The American Political Science Review, 108(3), 533–546.

Ulich, R. (1945). History of Educational. Thought. New York: American Book Co.

Velkley, R. (2012). Rousseau as Educator and Legislator. In E. Grace & C. Kelly (Eds.), The Challenge of Rousseau (pp. 215-292). Cambridge: Cambridge University Press.

Weiss, P. A. (1990). Sex, Freedom & Equality in Rousseau's "Emile." Polity, 22(4), 603–625.

Wexler, V. G. (1976). Made for Man's Delight: Rousseau as Antifeminist. The American Historical Review, 81(2), 266-291.

White, R. (2008). Rousseau and the Education of Compassion. Journal of Philosophy of Education, 42(1), 35-48.

Wollstonecraft, M. (1792). A Vindication of the Rights of Woman with Strictures on Political and Moral Subjects. London: J. Johnson.

Electoral Management in Bangladesh and Nepal: A Comparative Perspective

Dr. Hasibur Rahaman[*]

Abstract

This is a review of the electoral management of Bangladesh and Nepal. The principal question of the review is "the way does the Electoral Management Body (EMB) of Bangladesh and Nepal perform, despite having a similar socio-political setting?" The socio-political setting of Bangladesh and Nepal is pretty much something very similar. The current review focuses on the performances of the EMB of Bangladesh and Nepal according to a comparative viewpoint. This examination attempts to analyze various parts of the electoral management process of Bangladesh and Nepal and uncovers the achievement or deficiencies in the working of the electoral management process. In this way, the electoral management process of Bangladesh has rarely been considered credible for holding an election. However, sometimes working with the EMB of Nepal has been substantiated as a sound establishment.

Key Words: Democracy, Election, Electoral Management, Third World Politics.

Introduction

Democracy is incomprehensible without a free and fair election. A free and fair election can be guaranteed by a genuinely experienced institutional instrument. Be that as it may, such an institutional component of the election didn't develop. On that account, a serviceable democratic framework couldn't be accomplished. The colonial ruler to prolong their rule in colonies introduced their pattern of electoral mechanism. In the Third World nations, the political elite thereof maintained the same pattern to ensure continuity of their grip on power. Even though just a few Third World countries are democratic, election-time complaints about irregularities are common. Some of these illiberal democratic leaders are accused of attempting to rig elections in order to breach the fundamental tenet of democracy (Rahaman, 2014:1). Some ruling political parties won't think twice about tampering with the election results to prolong their hold on power. Therefore, a major opposition party participating in an election refuses announced results and resorts to extra-legal mechanisms to dispute electoral outcomes. Such an instrument transforms into brutality, which hampered political steadiness and the course of democratization in the Third World nations.

[*] Associate Professor, Department of Political Science, Bangabandhu Sheikh Mujibur Rahman Science and Technology University, Gopalganj, Bangladesh, E-mail: hasib@bsmrstu.edu.bd

Third World countries have been affected by such a juncture where political forces and political dynamics have proved to be incompetent and dysfunctional. As a result, a variety of unelected governments, including military, one-party, and individualized dictatorships, dominated the political landscape. In this situation, Third World countries have failed to build viable political institutions. In absence of viable political institutions, democracy did not become institutionalized. Right or wrong allegations are raised against the government and Electoral Management Body (EMB) of Third World countries for rigging elections and abusing power to influence election results. This sort of criminal conduct is typically started by the ruling party. In order to maintain their position of power, political parties may illegally influence the outcome. Most of the elections were held in the military regimes for legitimizing power. Even in the democratic regime, the party in power rigged elections followed by violence which has far-reaching negative political consequences in these countries.

Significance of the Research

The modern states have adopted or adapted a variety of electoral systems. Each system enjoys a few benefits or impediments. Shortly after the independence most of the post-colonial states adopted or adapted the 'Anglo-American Electoral System' as a modern state (Rahman, 2014:7). This system is popularly known as the 'simple majority system'. According to that system, the winning candidate is the one who gains more votes than any other candidate. However, this 'System' has failed in Bangladesh. Because the results of a specific voting system depend on the socio-political environment of the nation in which it is used. The socio-political setting of Third World nations and the west is not something similar (Akther, 2001). That is why; some people propose to change from the 'simple majority system' to a 'proportional representation system' in Third World countries (Ali, 1996: 205). It is time to critically review the 'simple majority system' of the election. Because this system of election has failed in many ways to fill up popular will in parliament in Bangladesh. To some extent, Nepal changed its election system from a 'simple majority system' to a 'proportional representation system'. Nepal has a parallel electoral process. Voters cast a second ballot to elect a Member of Parliament using the party-list proportional representation system. First Past the Post elections elect one Member of Parliament from each constituency.

Conceptual Clarification

Democracy

Defining democracy is a great challenge. It is subjected to a variety of interpretations. However, there is no controversy; democracy is first invented in Greek. Greek democracy was direct. But in the modern world, direct democracy is impossible due to the rise of big states or nation-states. Even if there has been also a representative democracy in ancient times, particularly in Germany, Holland, and Hungary. Someone argued representative democracy originated in the Middle Ages as a device to be selected the members of certain bodies consulted by the king on some important issues. As per the idea of

representative democracy, it contains such a vote-based system and hypothesis of civics wherein voters pick (in free, secret, multi-party elections agents to act to their greatest advantage, however not as their intermediaries i.e., not really as guided yet with enough power to practice activity inside the substance of changing conditions. Modern liberal democracies are significant examples of representative democracy. It very well may be contended that this term is inseparable from "republic." In characterizing representative democracy, Madison said that by designating government to somewhat several citizens "whose insight may best perceive truth interest of their country-the public voice, articulated by the delegates of individuals, will be more consonant to the overall public good than if articulated by individuals themselves" (Ali,1966). By defining representative democracy, W. F. Willoughby makes a valuable comment- "representation in government is regarded today as a process whereby individuals within the state can upon discussion and position to those in office. Instead of government officials being virtual representatives, they are considering 'responsible' representatives" (Willoughby, W. F., 1936:13). In this article, representative democracy implies a sort of government chosen by individuals or their agents. Viable portrayal in politics is pivotal in many developing nations. Youth are regularly underestimated in the formal electoral cycle. For example, youth are less inclined to be an individual from ideological groups, and they are less inclined to be enrolled as a citizen and to decide on polling day. Be that as it may, compelling portrayal or participation is vital to democratic advancement throughout the planet. Professionals, including EMBs, political parties, civil society organizations, and aid providers, are becoming more and more dependent on engagement in the democratic process generally and in elections in particular. The hullabaloo would have occurred without sufficient participation, among other things.

Election

Depending on your nation of origin, an election can have multiple meanings. But only in places where there is genuine democracy can the word's true meaning be realized. As a result, an election is a procedure used to choose candidates for public office. It is the process by which elective positions in the legislature are filled in a democracy. Both a broad and a specific definition for the word "election" have been given. In the specific sense, it refers to the final selection of a candidate who may accept the poll's findings while polling or the return of a certain candidate without opposition when there is no poll. In its broadest definition, the term refers to the complete procedure that ends with a candidate being proclaimed elected (Rahman, 2001:8). Harrop and Miller defined "election as a force of party activities and intensify political awareness of the people. As such the educate voters, provide the foundations for representation and grant legitimacy to the government" (Harrop & Miller, 1998: 245). The phrase "free and fair" has a unique significance in politics, particularly electoral politics. It serves as an adjective to describe an election's legitimacy. The ability of voters to exercise their right to vote in an environment free from all forms of pressure, intimidation, obstruction, influence, force, coercion, violence, or any other means that could unreasonably influence their decision to vote or to cast their votes for a particular candidate is what it means for an election to be

free and fair. Free and fair also refers to how the authorities conduct an election. Its scope includes the entire election-related process. Each stage of the election process should be by law, or in the absence of law, by past precedents or tradition, and must be free, fair as well as transparent (Karim, 2004). In this research, election means making political choices by voting in free fair means. It is accommodative of the individuals' share in the power process and thus the governmental process.
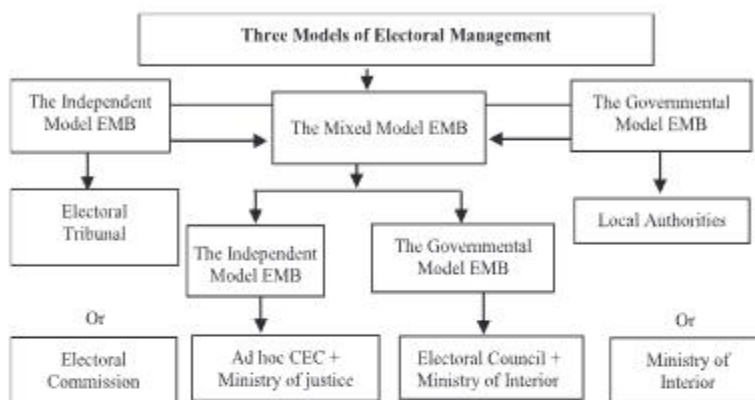
Electoral Management

Elections are specialized, complicated procedures (Rahaman, 2014:9). An entity or entities with specialized electoral management responsibilities are in charge of overseeing this procedure. So, specialized skills are necessary for electoral management bodies. Electoral management should be viewed by some guiding principles, such as independence, impartiality, integrity, transparency, accountability, efficiency, professionalism, and rule of law in the process. Therefore, electoral management entails bringing together the knowledge and experience pertaining to the electoral operations of EMB, their responsibilities and tasks, and their organization, financing, and management of election administration. The institutional makeup of EMB, its support systems, and its surroundings are also covered. Three different models are referred to as electoral management. The three types of electoral management are: The Independent Model, the Government Model, and the Mixed Model. The Independent Model of Electoral Management is used in nations where an EMB that is institutionally independent, autonomous from the executive arm of government, and that has controlled its budget oversees and manages elections. An Independent Model EMB is not answerable to a ministry or department of government. It may answer to the legislature, the court system, or the President. In nations where elections are managed by the executive branch of government through a ministry, such as the Ministry of the Interior, or by local authorities, this model of electoral management is used. At the federal level, this EMB functions under the executive branch and reports to a Cabinet Minister. The Mixed Model of Electoral Management consists of two distinct structures: an implementation component EMB housed within a department of state or local government, and a supervision component EMB that is separate from the executive arm of government

The EMBs are not always accurately interpreted by the constitution or specified in legislation. To facilitate relevance and applicability, each of the three models is flexible enough to focus on what is relevant in a particular country and a particular electoral management context. Some countries follow the Independent Model, some Mixed Model, and some Governmental Model of electoral management. Bangladesh and Nepal constitutionally follow the Independent Model of EMB. From the way they are

functioning it seems that they follow the Mixed Model. Three models are given in figure 1 below:

Figure: 1

Source: This figure has been modified from "Electoral Management Design, An Overview of the International IDEA Handbook," (2006), IDEA, Stockholm, p. 5.

The EMB is in charge of overseeing election administration. It must carry out the legal framework's prescribed procedures in an honest and impartial manner. Making decisions and resolving technological challenges are involved. It may also be required to design election regulations, and it typically creates rules for registering voters and candidates, casting ballots, and tallying votes. An EMB must perform the following duties in order to fulfill its primary responsibility of holding free, fair, and credible elections, including: (1) administering the process in accordance with the law; (2) maintaining a professional, impartial, and transparent administration; (3) adopting procedures to protect the integrity of its operations, (4) Recognizing and evaluating integrity threats, (5) acting to address them when appropriate, and (6) raising voter awareness. In order to effectively do this assignment, the following issues will be used to compare the EMB of Bangladesh and Nepal: (1) The make-up of the EMB, (2) Its laws and processes, (3) How it prepares for its electoral tasks, (4) How it defined the constituencies, (5) How it handles the registration of political parties, (6) How it assigns electoral functions, and (8) How it is institutionally set up.

Integration of the Concepts

The election is defined as "a form of procedure, recognized by the rules of an organization, whereby all or some of the members of the organization choose a smaller member of a person or one person to hold the office of authority in the organization" (Mannan, 2005:2). For holding the office of authority, a person is elected or chosen through particular institutional mechanisms. This mechanism can be properly viewed by the electoral management process. Electoral management can be ensured by democracy in a country. Electoral system selection and election layout, for instance, depend on

democratic governance. Elections and democracy are fundamentally about distributing and regulating political power and influence. While political elections alone are not a guarantee for democracy, on the one hand, democracy is impossible without them. To put it another way, one cannot support elections without being a democracy, but one can administer elections without being a democrat. Elections are crucial in promoting participation, accountability, and transparency, three characteristics of democracy, which in turn can only be ensured by democracy. Elections that are regularly held may be the main tool for advancing this democracy. Election quality is dependent on EMB. Free and fair elections could operate as a check on government, making sure that policies reflect the desires of the governed. Therefore, it is safe to say that there has been a link between the notions that are interdependent.

Objectives of the Study

This is a study on the electoral management of Bangladesh as well as Nepal. The main question of the study is "how does the EMB of Bangladesh and Nepal perform, despite having the same societal status?" To attain this main objective other substitute objectives can be mentioned here below:

1. To examine the electoral management process in Bangladesh and Nepal in the context of Third World countries.

2. To know the legacies and legal framework of both the electoral management process of Bangladesh and Nepal.

3. To measure the election management process of Bangladesh and Nepal based on some parameters.

4. To reveal the successfulness or defectiveness in the functioning of the electoral management process of Bangladesh and Nepal.

The Methodology

The methodology applied in this research is a combination of both historical and analytical approaches. As a historical approach, the development of the electoral management process of Third World countries is analyzed in this research. An analytical approach was used based on qualitative data. In the course of analysis, this research has taken into consideration developing a credible electoral management body to hold a free and fair election. By reviewing the performance of EMB in Third World countries, we have got different contradictory ideas. The present research tries to investigate how EMB can ensure a free, fair, and credible election in Bangladesh and Nepal despite having the same societal status.

The period of data collection for this research ranges from December 2021 to January 2022. Sources of data collection were both primary and secondary. The primary source of data included interviews of selected representatives of different stakeholders of the EMB. In this connection, as many as 20 people, who come from different stakeholders, were

interviewed. Secondary sources of data included documents on the legal framework. In the first phase of secondary sources, a wide range of literature was reviewed to conceptualize the subject. In this phase, data were collected through intellectual writings, different books, journals, and research papers relating to the electoral management process of Bangladesh and Nepal to build the framework for the research. In the second phase of secondary source, data was collected from reports of governmental institutions and agencies. The lack of reliable and impartial sources of data was not an easy task to complete the research. At such juncture of the study, daily newspapers were widely used as the source of data.

Electoral Management of Bangladesh and Nepal: A Comparison

Organization

This section intends to set out the framework of the electoral process in Bangladesh-Nepal and also examine how this framework was undermined by the functioning of the democratic structure.

The EMB of Pakistan was laid out in 1956 with a provincial office in Bangladesh. After independence, the local office of the Election Commission moved to Bangladesh with a bigger arrangement in view of 1972's Constitution. The Bangladesh Constitution gives the arrangement for setting up an independent election commission as an EMB to conduct an election in the country. Article 118 of the Bangladesh Constitution laid out an Independent EMB that operates the legal functions of election law. Article 118(1) mentioned that "there shall be an election commission for Bangladesh consisting of the Chief Election Commissioner (CEC) and more than four Election Commissioners and the appointment CEC and other Election Commissioners (if any) shall, subject to the provisions of any law made in that behalf, be made by the President" (Rahaman, & Others, 2013:95). The CEC will serve as the Election Commission's chairperson when there are multiple members. An Election Commissioner's tenure in office is set at five years beginning on the day he assumes that position. Article 118 (3) of the constitution clearly states "a person who has held office as CEC shall not be eligible for appointment in service of the Republic and any other Commissioner shall, on ceasing to hold office as such, be eligible for appointment as CEC but shall not be otherwise eligible for appointment in the service of the Republic" (Rahaman & Others 2013:95). The Commission's key responsibilities include overseeing, directing, and controlling the process of creating the electoral rolls. However, the Election Commission Secretariat is headed by a Secretary who is appointed by the Election Commission (Officer and Staff) Rules 2008. The Election Commission Secretariat is now functioning under its own control. Before the enactment of the Election Commission Secretariat Law 2009, *the* Secretariat of the Election Commission was under the control of the Prime Minister's Office (PMO). The Election Commission's Officers and Staff Rules1979 also provides the procedure for the recruitment of the officers and staff for the Election Commission Secretariat. Moreover, article 120 of the Constitution also states that "the President shall, when so requested by the Election Commission, make available to it such staff as may be

necessary for the discharge of its functions." The appointment of first-class officers (Upazila Election Officers), the responsibility vests upon the Ministry of Establishment, and the selection procedure is conducted by the Public Service Commission (PSC).

In Nepal, the EMB is regarded as a separate constitutional entity with sole responsibility for the administration of elections. It was conceived as a result of the Nepalese revolt in 1950, and it was enacted into law in 1951. After some time, the guidelines adjusted it somewhat. In 1966, the commission was declared legally independent from the government. The members of the commission were chosen by the King once it was formed. The composition of the EMB was further altered by the constitution in 2006. The interim constitution for Nepal adopted in 2007 attests to this. Article 129(1) of the Interim Constitution of Nepal 2063 (2007) clearly outlines the duties and roles of the EMB. "There will be an Election Commission in Nepal consisting of a CEC and four other Election Commissioners," the Constitution states. The CEC will serve as the Election Commission's chair. The Constitutional Council shall recommend that the President appoint the CEC and the Election Commissioners. The CEC and the Election Commissioners have a six-year term of office starting on the day of their appointment. The management of the Commission is comprised of the CEC and four Election Commissioners. The EMB maintains a separate secretariat over which it exercises complete executive control. The secretary carries out the commission's decisions. The electoral court plays a crucial role in the electoral process. Any employee who engages in behavior that compromises the election's impartiality may be fired by the EMB (Hussain, 2008:3). A deal was reached in December 2007 to end the monarchy and transform the nation into a federal republic with a prime minister serving as the head of the executive. With only four of the 6001-seat Constituent Assembly voting against the reform, which ended Nepal's 240-year monarchical history, a federal republic was founded in 2008. The first Constituent Assembly of Nepal had only one chamber. Following the first Constituent Assembly election on April 10, 2008, it was established. The majority of observers described the election results as trustworthy, despite isolated incidents of political intimidation, violence, and vote anomalies. Currently, Nepal's politics are conducted within the framework of a multi-party, parliamentary republic. The Prime Minister and his or her cabinet are in charge of exercising executive authority, and the Nepali Parliament is responsible for exercising legislative authority.

Law and Procedures

The Constitution and Representation of People Order (RPO), 1972, both contain provisions governing Bangladesh's electoral laws and procedures, and the Election Commission currently has the authority to enact new legislation. According to the Constitution and RPO, 1972, the power, responsibilities, and duties of the Election Commission are in different ways outlined in articles 118(4) and 126 of the Constitution and article 4 of the RPO, 1972, respectively. The RPO of 1972 is the fundamental statute that served as the basis for the government's creation of the election rules. It also offers a rational and seemingly full foundation for the conduct of parliamentary elections, but it

also has a few peculiar characteristics that have complicated the public's impression of the impartiality of the Election Commission. Additionally, "it shall be the obligation of all executive authorities to support the EC in the fulfillment of its powers," according to Article 126 of the Constitution and Articles 4 and 5 of the RPO, 1972. Any person or organization may be required by the Election Commission to carry out such tasks during the election. The RPO of 1972, which relates to the duties of the Election Commission, is the second significant law. In 1972, 1976, 1982, 1991, 1996, and 2001, the RPO was revised. The RP (Amendment) Act of 2008, the RP (Second Amendment) Act of 2008, and the RP (Amendment) Act of 2009 each made three revisions to this order. The Political Parties Registration Rules, 2008, the Code of Election Rules, 2008, the Code of Conduct for Parliament Elections, 2008, and the Electoral Rolls Rule, 2008 were all created in accordance with these legislations. The Reserve Women Election Law 2004 for Parliament Elections and the Election Commission Secretariat Act 2009 are additional legislation pertaining to elections that are still in effect today. The Election Commission's primary responsibilities under these rules, acts, and amendments are to define constituency boundaries, create electoral rolls, recognize political parties and assign them symbols, conduct elections, examine nomination papers, conduct polls, examine candidates' election expenses, and settle electoral disputes.

In Nepal, a constitutional EMB is known as the Election Commission of Nepal (ECN). The Nepalese Constitution's Section 24 and Articles 245 to 247 make decisions about the Election Commission. The competitive multiparty democratic system, adult voting rights, and regular elections have all been embraced by the constitution as essential tenets of democracy. According to the constitutional provisions, the Commission is in charge of holding elections for various federal, provincial, and local entities in accordance with the established electoral systems. The Election Commission Act of 2017, the Electoral Roll Act of 2017, the Election (Offense and Punishment) Act of 2017, the Political Party Registration Act, and the Local Level Election Act of 2017 are the current election-related laws that are in effect.

Preparation of Electoral Rolls

The Election Commission in Bangladesh is accountable for creating the electoral rolls. The final electoral rolls created in accordance with the current Electoral Rolls Act 2008 are referred to as electoral rolls. The Election Commission is required by law to assign the necessary number of Assistant Registration Officers (AROs), one supervisor for every five enumerators, and one enumerator for every 300–400 voters (Rahaman & Others 2013:96). For the "preparation, correction, amendment and revision" of the electoral roll, the Election Commission must also appoint a Registration Officer (RO) for each constituency. According to Articles 121 and 122(2b) of the Constitution, electoral rolls also mean that there is only one voter list for each constituency and that a voter must be at least 18 years old, of sound mind, and a resident of the constituency in order to cast a ballot. Box 1 below displays the stage at which the Election Commission is preparing its electoral rolls:

Box: 1: The Stage of Preparation of Electoral Rolls.	
Stage-1	Taking all necessary procedures to get voter data. The development of the area-based primary estimation of voters, the hiring of the necessary number of AROs, the publication of advertisements for the hiring of area-based data entry operators, and other data gathering tasks are all included in this stage.
Stage-2	Re-scrutinizing the forms to collect the voter's information and data.
Stage-3	Gathering of information and identity verification at field registration centers.
Stage-4	Following the procedure outlined in the Third Phase, the physically challenged, prisoners, missed voters, and ill persons are registered.
Stage-5	Data processing, scrutinizing, and improving at Upazila Server Office.
Stage-6	Printing and finalizing a draft voter list. This stage involves displaying the draft voters' list, accepting objections, hearing the objections, ordering corrections from the revising authority, fixing the errors in the draft voters' list in accordance with the orders, preparing the final voters' list, and having the RO authenticate the final voters' list.

Since 1971 preparation of electoral rolls has been done seven times in 1973, 1976, 1983, 1989, 1995, 2000, and 2006.

Every year, electoral rolls are created and updated by the ECN. According to the Nepalese Constitution, every person who has achieved the age of 18 or older is eligible to vote. His or her name must be registered on the voter list in order to cast a ballot. Every household must provide ECN with the names of voters (biometric data) who are at least 16 years old and have obtained citizenship certificates. When s/he turns 18 years old, this registration immediately updates the voter list. *The Electoral Rolls Act of 2017* stipulates that registered voters must also have permanent residence in any constituency in addition to being Nepali citizens. Registration on the voter list requires the submission of a Nepali Citizenship Certificate. The person who wishes to register must be present because pictures and thumbprints of the voters are also taken when they register to vote. Every year, the District Elections Officer (DEO) registers voters. The Chief District Officers (CDOs) are in charge of counting the names of the voters. The Assistant Registration Officer (ARO) for each ward of the municipalities will count the names of registered voters. Every year, beginning in the first months of the Nepali calendar, which begins in mid-April, the electoral roll is conducted. By the middle of August, the whole process is finished. Box 2 provides information on the entire electoral roll process.

Box-2: Step for Preparing Electoral Rolls

Steps	Activity Process	Days Allocated
1	Collection and updating	30 Days
2	Publication	30 Days
3	Addition and correction	15 Days
4	Publication of added and corrected names	15 Days
5	Hearing of claims and protests	15 Days
6	Publication of final rolls	15 Days
Total		120 Days

Delimitation of the Constituencies

The delimitation of constituencies is the prime function of the Election Commission of Bangladesh and it is executed in accordance with the *Delimitation of Constituencies Ordinance 1976*. This ordinance has been made to provide for the delimitation of constituencies for election to parliament. In this Ordinance, delimitation of constituencies means "the constituencies shall be so delimited having regard to administrative convenience, that each constituency is a compact area and in doing so due regard shall be had as far as practicable to the distribution of population as given in the latest census report." According to Article 6(1) of this ordinance, the Commission shall divide the country into as many single territorial constituencies as there are members to be elected under Article 65(2) of the Constitution for the purposes of elections to the seats in parliament. After the delimiting of constituencies, the new constituencies are to be gazetted specifying area. The objections about the new constituencies are heard but the verdict of the Election Commission is final. For the first time in the electoral history of Bangladesh, the constituencies delimited in 1973 have remained subject to minor adjustment. Subsequently, the constituencies are delimited in 1979, 1984, 1991, and 1995. The last major delimitation of the constituencies was held in 2008 ahead of the ninth parliamentary election. The constituencies conducted since 1972 are given in box 3 below.

Box: 3 Delimitation Conducted Since 1972

Done in Year	Conducted Method
1973	Complete by visiting the constituency
1989	Partial by visiting the constituency
1984	Complete by visiting the constituency
1991	Partial by selected constituency
1995	In certificate only by EMB of Bangladesh
2008	300 constituencies (by use of GPS system)

(Source: Bangladesh Election Commission Secretariat)

In Nepal, geography and population make up the two fundamental pillars of representation, and each district of the state (province) must have at least one election seat. The population, geographic convenience, administrative and transportation convenience, geographic specificity, communal and cultural elements of the constituencies, as well as the density of the population, must all be considered when defining electoral constituencies. According to Article 286 (1) of the 2015 Constitution of Nepal, the Boundary Commission is the entity in charge of drawing the boundaries. The Election Commission of Nepal has sped up voter registration in advance of the provincial and federal elections, which are scheduled for November 26. On July 20, the Government of Nepal approved the creation of the federal Election Constituency Delimitation Commission (ECDC), which has been given a 21-day deadline to submit its final report. According to the constitution, the ECDC must designate 330 constituencies among the seven provinces to elect the seven Provincial Assemblies, and 165 single-member

constituencies (instead of the current 240) to elect the House of Representatives. The Election Constituency Delimitation Commission's decision cannot be contested in court, and the constituencies are subject to revision every 20 years.

Political Party Registration

There have been almost no obligations on party forming in Bangladesh. The Constitution of Bangladesh allows the citizens for freedom of speech except those in government service. But the registration of political parties with EC is obvious in the democratic process. As a result, the RPO 1972 has undergone three amendments: The Representation of the People (Amendment) Ordinance 2008, the Representation of the People (Second Amendment) Ordinance 2008, and the Representation of the People (Amendment) Act 2009. In 2008, an ordinance was passed involving the registration of political parties with the Election Commission. According to this Ordinance, conditions relating to registration have been laid down. But registration of political parties in Bangladesh is voluntary. It should be noted that political parties wishing to run in the parliamentary elections must register with the Election Commission. In the same way *Representation of People (Amendment) Act 2009* states that "if any political party desires to be registered, it shall fulfill one of the conditions" laid down in Article 90 (B). However, this calls for voluntary registration of political parties did not make any impact on the political parties of Bangladesh.

In accordance with the Nepali constitution, they are now "inviolable," required to register with the ECN, and encouraged to act transparently and democratically. But contrary to what most people think, "Politics in Nepal is still more based on personalities than institutions; leadership positions within the government and parties are personalized and unaccountable, and when crises mount as a result of weak institutions and leaders, elected officials are left powerless in the face of the situation. Such functional and behavioural issues greatly impede the nation's processes of institutionalization and legitimization." (Baral and Rose 1998, p. 213). Four requirements must be met before a national political party can be registered with the EC: it must be democratic; office holders must be elected on a regular basis every five years; 5% of the candidates for the House of Representatives must be women; must have received 3% of the vote in the House of Representatives election. Only those parties that meet the aforementioned requirements are eligible to receive uniform national symbols for their candidates. Free symbols are offered to independent candidates and those who don't fit these requirements. Furthermore, political parties still need to maintain a democratic candidate selection procedure that helps the local populace choose their representatives by giving them more choices. Although the constitution forbids parties founded on the basis of regional, ethnic, religious, and communal considerations, some of these parties are registered with the Election Commission, and there are numerous small, ideologically radical, and issue-specific parties that are not registered but are active on the national scene. How to put them under constitutional control is the Election Commission's dilemma. Alternately, is Nepal able to

imitate the German Basic Law's democratic feeling, which forbids the registration of anti-democratic parties?

Delegations of the Functions

In Bangladesh, Election Commission's Secretariat has been established under provision 118(4) of the Constitution. Therefore, Election Commission has its own full-fledged Secretariat headed by a Secretary to the Election Commission to render all assistance to execute the decisions and orders of the commission. The secretariat is situated in Dhaka having field offices at the regional level, district level, and Upazila level. The secretariat performs all the duties relating to election management. There are ten Regional Election Offices located in Dhaka, Chittagong, Khulna, Rajshahi, Barishal, Sylhet, Comilla, Mymensingh, Rangpur, and Faridpur regions headed by Chief Election Officer (CEO). The main function of this office is, to communicate between the Secretariat and the subordinate field level offices to coordinate the work of all types of electoral roles such as registration of voters and preparation of electoral rolls including day-to-day amendment, and as a time to time directed by the Election Commission. There are 64 District Election Offices in the 64 District Headquarters headed by Sr. District Election Officer (SDEO)/District Election Officer (DEO). "The SDEO/DEO has to carry out all work relating to registration of voters, the printing of voters list, management of national and local level elections, training of polling personnel and all logistical arrangements" for elections as directed by the ten regional election offices from time to time. There are 508 *Upazila* election offices in the country. It is the lowest level of election offices headed by the *Upazila* Election Officer (UEO) in all *Upazila*. The main functions of the UEO are "to assist regional and district offices in the discharge of functions.

The Election Commission of Bangladesh appoints the RO for each of the parliamentary constituencies. In addition, the Commission also appoints ARO for each constituency to assist the RO in the performance of his functions in connection with the conduct of elections. However, the Commission has the power to withdraw any officer for the sake of a neutral election. The RO prepares the list of polling stations and appoints the PO, APO, and Polling Officers. The PO with the assistance of APO and Polling Officers conducts the poll at a polling station. The main responsibility of the PO is, to set up polling stations and enable the security forces and those monitoring the election to keep law and order and ensure that voting during the election is fair. A free and fair election mainly depends on field-level officers like the PO, APO, and Polling Officer as they are actively involved in the electoral process.

The Electoral Inquiry Committee shall also consist on the basis of complaints received from the contesting parties and candidates in the election about any matter or situation or any pre-poll irregularities by the Election Commission's initiative. After conducting an inquiry, the Committee shall inform about the inquiry report to the Election Commission within three days of the inquiry and may make a recommendation which may include "(a) proposals for any order, directive or instruction to be made by the Election Commission to any person responsible for any action to stop such act forthwith; or (b) in the case of

any omission, to perform any specific act, including, if necessary, the appropriate correction of any false information." (Rahaman & Others, 2013:103). According to clause (6a) of the *RPO (Amendment) Act, 2009*, after justifying this recommendation received from the Electoral Inquiry Committee, under clause (6), "the Election Commission may give necessary order and instruction to the concerned person or registered political party to implement the recommendation." Election Tribunals have also been set up for the disposal of election petitions and performance of other functions in this regard as may be prescribed by any other law. It has been set up in the Divisional Headquarters headed by Judges of the level of a district Judge. The main function of this tribunal is to solve the electoral dispute (Rahaman & Others, 2013:103).

The Election Commission of Nepal (ECN) oversees, directs, and controls the election of the President, Vice-President, Federal Parliament, Provincial Assemblies, and municipal authorities in accordance with other laws and the Constitution. For the purposes of the election, the ECN is in charge of creating the voter list. In accordance with the provisions of this Constitution and Federal legislation, the ECN must convene a referendum on a matter of national significance. The CEC, Election Commissioner, or any other employee of the Government of Nepal may receive any of the ECN's functions, duties, or powers in the course of performing their duties. The ECN demands complete supervision over the security personnel and election officials in this situation. But it depends on the government in areas of people and finances. The ECN is trusted with the unprecedented electoral operation, and the entire administrative apparatus is deployed throughout all constituencies. According to the Constitution, the government must give the ECN staff and supplies.

The Ministry of Home Affairs and its district officials, such as the CDO, manage a large portion of the administration of elections, despite the fact that the ECN can request assistance from any government department. During the election time, this staff is placed under the ECN's control and is answerable to it. According to the Constitution and current laws, the ECN has the power to issue orders in the course of performing its duties. For electoral purposes, the ECN may purchase real estate, structures, cars, furnishings, and other items from the public sector, private sector, and educational institutions. Any Returning Officer, Polling Officer, or other election-related official sent out by the ECN may enlist the aid of the local police or other government security agencies.

Each constituency's returning officer is chosen by the ECN. The CDOs are appointed as the returning officers for their respective districts during the election for local bodies. It is a legal requirement that judges of the courts of law or members of the judicial service be appointed as returning officers for the election of the House of Representatives. The chief judges/registrars of appellate courts are designated as returning officers for elections to the Upper House of Parliament, while the secretary-general of Parliament is designated as the returning officer for elections to the Upper House from members of the Lower House. The returning officer has the power to choose his assistants and staff who report to them.

The central and district government bureaucracies typically extend their support security arrangements. As a result, the Ministry of Home Affairs is crucial to the successful conduct of elections that adhere to the norms set by the ECN.

On the day that the voters' list is prepared, the electoral management procedure starts. According to electoral regulations, there is only one electoral roll system in the nation, and it is released in advance of the election. This gives them the opportunity to file requests for the inclusion of names of legitimate voters and the deletion of those non-voters. Every year, the ECN refreshes the voter list. The Member of the House of Representatives Election Act of 1990, the Election Constituencies Delimitation Act of 1990, the Election Offense and Punishment Act of 1990 and 2017, the Local Bodies Election Process Act of 1991 and 2017, the Voters Identity Provision Act of 1997, and the Anti-Defection Act of 1997 are just a few of the acts and laws that govern the election management process. In terms of regulating the election process, these acts are crucial legislative tools.

The Election Offense and Punishment Act of 1990 and 2017 both include provisions for the creation of a Special Election Court to handle electoral infractions. An appeal against the judgment of the Returning Officer and the ECN may be submitted to the election tribunal headed by a judge. On the advice of the ECN, the government will establish the tribunal. These are crucial measures to stop political meddling and electoral fraud, but they by no means go far enough to guarantee true representativeness. The administration of free and fair elections requires the responsible participation of political parties, candidates, political parties, voters, and all other democratic stakeholders.

For inspections, investigations, or supervision of voting, counting, or any other electoral process, the Election Commission of Nepal (ECN) may appoint observers. On the basis of its conclusions about complaints or information of irregularities, the ECN may call off an election in the entire constituency or polling at the polling place. On the basis of reports made by poll workers alleging disturbances on election day, the ECN may take action. Re-voting and recounting are decided upon by illegal booth capturing, tampering with the ballot boxes, and errors made during the counting.

To carry out the duties of the Election Commission in accordance with this Constitution, the Government of Nepal, the provincial government, and the local government shall give other cooperation as may be necessary. To make all election-related operations freely accessible to the general public, the Election Commission created Provincial Election Offices in 7 provinces and District Election Offices in 70 districts. In the Provincial Election Office, arrangements have been made for the Head of Administration Service, General Administration, Second Class Provincial Election Officer, and in the District

Election Office, for the Head of Administration Service, General Administration, Third Class District Election Officer, of the Government of Nepal. Under the direct supervision of the Commission, plans have been prepared to conduct the task from the State/District Election Offices.

Box-04: Electoral Management of Bangladesh and Nepal at a Glance

Bangladesh	Nepal
The constitution suggests the appointment of the CEC and other ECs under law.	The CEC and other ECs are appointed by the President on the recommendation of the Constitutional Council.
Most of the appointments of ECs have been challenged by political parties. Sometimes a politically controversial person is appointed.	The appointment process of the CEC and other ECs, has been criticized because the Constitutional Council which recommends their names is not free from party politics.
The age of the CEC must be at least 50 years old.	At least forty-five years of age is required for the CEC.
The age of the other ECs must be at least 50 years old.	The other ECs had to be at least forty-five years old.
The Chief Election Commissioner and the Election Commissioners have no upper age limit and their terms of service are for five years from the date of appointment.	The Chief Election Commissioner and the Election Commissioners each have a six-year tenure of office starting on the day of their appointment. However, they do reach 65 years old.
The Election Commission has partial control over the EC Secretariat.	The Election Commission has full control over its Secretariat.
They are not required to have a degree; they only need to have at least 20 years of experience working in significant government, semi-government, private, judicial, autonomous, and other institutions.	They must to hold a bachelor's degree from an accredited institution.
The First Past the Post (FPTP) system of election is used in all levels of elections. Only to ensure women's participation in Parliament, 50 seats has reserved that each party fills proportionately to their percentage of the vote. This voting system can be defined as Proportional Representation (PR).	There are now three electoral systems in use: first past the post for municipal elections, parallel voting for the National Assembly and provincial assemblies, and single transferable vote for the House of Representatives.

The delimitation of constituencies is the prime function of EC and it is executed in accordance with the *Delimitation of Constituencies Ordinance 1976.*	The responsibility for the delineation of the electoral constituency is vested in the Election Constituency Delimitation Commission (ECDC).
The EC has its own field staff up to the Upazila level but is largely dependent on government officials	The EC is dependent on the government for personnel decisions while having no own staff of its own.
Budgetary allocation (but sometimes not gets as it requires)	The EC has no financial autonomy. The EC has to depend on the government.
The Code of conduct for candidates Is a separate rule in Bangladesh	The Code of conduct is not a separate act in Nepal. The EC can prepare the election code of conduct.
Expenditure for parliamentary election in each constituency Tk. from 5 lakhs to 15 lakhs.	Depending on the electoral strength of the constituencies, the EC has classified election expenses into four different categories, with the first category having a cap of Rs. 275,000, the second having a cap of Rs. 253,000, the third having a cap of Rs. 165,000, and the fourth having a cap of Rs. 115,000.

Electoral Management in Bangladesh and Nepal: Challenges and Reforms

The EMB is not only responsible to hold a free and fair election. When EMB fails to hold a free and fair election just because of its lack of credibility, other agencies and their social and political capital can play a pivotal role to hold free and fair elections. But it is a great regret that the role of such agencies is not up to the mark. Of course, there are some causes behind such a role, such as undemocratic state institutions, lack of viable political systems, undemocratic political parties, political use of religion, undeveloped judiciary, and overdeveloped colonial bureaucracy. The challenges for the EMB to hold a free and fair election are not the same. Considering overall challenges for the EMB of Bangladesh and Nepal in the way of holding free and fair elections, the following areas are mentioned for requiring reforms to strengthen the EMB of Bangladesh and Nepal:

SL	Bangladesh	SL	Nepal
1	To ensure independence consideration should be given to the EMB by making it responsible for the management of its all-level offices separately from the executive branch so that it may conduct and supervise the election independently and	1	When the number of Election Commissioners was increased to six to serve the political interests of the in-office government, their independence and impartiality lost some of their lusters. Therefore, it is suggested that the total number of Election Commissioners, including the CEC, should not exceed

	smoothly.		three. It is also suggested that their appointment be based on public and parliamentary hearings.
2	The consolidated fund of the republic will be used to pay for the EMB's budget allotment because it will have financial autonomy. The Finance Ministry shouldn't have any authority over the distribution of such an allotment. The budget allocation should be disbursed as early as possible so that it does not hamper the functions of EMB.	2	One significant area of change lies in preparing voter's list. The instances of disenfranchisement of electors, ID cards not counting voter list, residency prerequisites denying destitute and rural people working in metropolitan regions, distance factor, particularly in slopes and mountains, propensities of major parties to abuse the set of rules, particularly enjoying savagery, controlling media, including in enrollment and move of personnel connecting with security and the rule of law, abuse of money, and so on.
3	The political parties must be consulted before appointing the Election Commissioners, including the Chief Election Commissioner. It will be very challenging to hold free and fair elections if the administration appoints its own nominations to the Election Commission without consulting the political parties.	3	The "fleeting trend impact," or the tendency to vote in favor of parties and candidates who have a chance of winning, is one fundamental mental factor that influences voting behavior in Nepal. Declaring someone to be the next prime minister and making a general judgment as necessary don't forecast well in this particular circumstance. Multiple party chief candidacies thus contradict the representational issue. Following their victory in multiple elections, they withdraw from one and deceive the voters there.
4	The Election Commission shall have complete independence in announcing the election timetable, rescheduling the election, and establishing any guidelines or rules for the election.	4	The cost of election campaigns has been reduced since the vast majority of Nepalis are living below the poverty line. It has become essential to monitor and expose campaign spending in order to curb the influence of money in politics and establish real, societal control. The design of rules for political parties and candidates should also form part of the guidelines, along with the accounting of election expenses.
5	The RO plays a key role in	5	It has become crucial to strengthen the

	conducting elections. The DC is usually chosen as RO for Parliamentary elections. As the DC is a government official, the government can influence election results by placing partisan DC in this post. Therefore, BEMB should consider establishing district base field offices. The chief of this office would be chosen as RO.		relationship between the EMB, the judiciary, guard dog offices, media, and general society in order to detect violations of the set of principles. At the same time, these organizations can aid in keeping democratic values alive by providing purposeful support and unrestricted drive outside of the political establishment.
6	The EMB's Secretariat should be accountable to the EMB and EMB should be made accountable to the common people and also to the Parliament for their activities. In this respect, the necessary law may be enacted.	6	The government charged with overseeing elections shouldn't make any major arrangements, promote or move public officials, pursue major policy decisions, or commit the nation to financial use unless a terrible crisis occurs.
7	Any punishment or disciplinary action taken by the EMB for any electoral laws and regulations broken throughout the course of conducting elections by the employed workers. In this regard, a prosecution branch of the EMB should be established to handle various election irregularities. The ability to bring legal action against candidates, parties and poll workers should likewise be granted to the EMB.	7	The employees of the EMB are drawn from the administrative and judicial branches of government. Much depends on the administration's impartiality and the integrity of its personnel when they are working on elections. Government employees are split along party lines. Only when there is a political connection between election officials and party insiders is misbehavior plausible. These employees are in charge of the election and are situated under the jurisdiction of the EMB. If they fail to perform their responsibility, the EMB must use its authority to take action.
8	The rule should be so framed as to ensure that retired army officers and bureaucrats and other government officials cannot readily after retirement begin to take part in active politics. They must wait for at least five years before that. Their official position may be unduly used in	8	The exclusion of candidates who have been linked to criminal activity, offenders, or socially divisive elements should be permitted in plain sight. This is the way to preserve peace and order, protect politics from thugs, and prevent citizens from feeling alienated and uninterested in how power is exercised.

	politics to distort the same.		
9	Every ten years the election symbols of political parties need to be changed so as to bring clarity of understanding of the personal quality of candidates. Otherwise, common voters become victims of confusion to elect the best candidate in the elections.	9	According to an unofficial source, there are more than a million Nepalese living in India alone. According to the current electoral laws and procedures, all of these Nepalese citizens who are not residents are denied voting rights. The new law ought to be written to permit franchises to be granted to Nepalese who are not residents.

Conclusion

The election process in Bangladesh has been used for legitimizing the regimes since her independence. Therefore, the election could not be deemed completely free and fair. Due to the absence of its guiding principles, impartiality, honesty, independence, transparency, efficiency, professionalism, and the rule of law, the BEMB has not been seen as a reputable institution in this regard. In actuality, the EMB must rely on government officials for the appointment of the CEC and other commissioners, the hiring of workers for the BEMB Secretariat, and the management of other financial matters, such as budget allocation and money disbursement. It is painful fact that no successive government has taken measures to strengthen the EMB for its meaningful independence. In terms of political reforms, the political parties and civil society always demanded meaningful independence of EMB. In recent days, various reform proposals are placed by civil society. In response to the demands, the EMB has prepared new voters' list with photographs and National Identity cards with the support of the Bangladesh Army. The EMB has no rule frame to appoint the CEC and other EC, recently the government framed the rule to appoint them. The EMB has also announced some reformation of the election rule and regulation, intended to remove the influence of muscle power, black money, rigging, fake voting, and other malpractices. The application of these rules is still a far cry. In principle, the EMB as a democratic institution performs its functions. But required institutionalization of EMB is still far away.

The election process in Nepal is more or less free and fair to its election laws and procedures, implementation measures, and the roles played by major actors including political parties and government bodies. The voters, candidates, party leaders, and various other stakeholders appraise whether or not an atmosphere conducive to free and fair elections exists in Nepal. The necessary prerequisites for free and fair elections are present. There were no complaints from political parties and candidates when asked about restrictions on political activities, including the recruitment of new members and the freedom to assemble and conduct public meetings and processions. Necessary efforts have always been taken by the EMB of Nepal to ensure free and fair elections. Both the political parties and the electors have confidence and appreciation regarding the

impartiality of the EMB of Nepal. During the 2008 elections for the Constituent Assembly, the commission received some criticism for not carrying out its proper responsibilities. Additionally, it did not adequately inform voters about the election. Overall, though, it handled the elections well.

References

Akram, S., & Das, S. K. (2006). Bangladesh Election Commission: A diagnostic study. *Transparency International Bangladesh.*

Akther, M. Y. (2001). Electoral Corruption in Bangladesh. London: Ashgate Aldershot.

Ali, R. (1996). *Representative Democracy and the Concept of Free and Fair Elections.* New Delhi: Deep & Deep Publications.

Ali, R. (2001). *The Working of Election Commission of India.* New Delhi: Jnanada Prakashan.

Baral, L. R., & Rose, L. E. (1998). Democratization and the Crisis of Governance in Nepal. eds. Subrata K. Mitra and Dietmar Rothermund, Legitimacy and Conflict in South Asia, New Delhi: Manohar Publishers.

Edgeworth, L. & Finn, D. (2000). Pre-Election Technical Assessment: Republic of Bangladesh. Washington: International Foundation for Election Systems.

Gordon, L. A. (1980). Central themes for a unit on South Asia. Columbia University: South Asia Institute.

Harrop, M., & Miller, W. L. (1998). Election and Voters a Comparative Introduction, London: Mcmillan.

Hasanuzzaman, A. M. (2009). Political Party and Governance in Bangladesh. In Mushrafi, Mokhdum-E-Mulk and Rahaman, Hasibur (Eds.). Bangladesh: Politics and Governance. Dhaka: Mowla Brothers.

Hussain, N. A. (2008). Elections in Bangladesh: The Question of Independence of the Election Commission. Asian Studies, 27.

Karim, W. (2004). Election under a Caretaker Government. Dhaka: The University Press Limited.

Mannan, M. A. (2005). Election and Democracy in Bangladesh. Dhaka: The Academic Press and Publishers Library.

Mendis, D. (Ed.). (2008). Electoral processes and governance in South Asia. India: SAGE Publications.

Muniruzzaman, T. (1971). The Politics of Development: The Case of Pakistan (1947-1958). Dacca: Green Book House Limited.

Rahaman, H. (2014). Electoral Management in Bangladesh. Dhaka: AH Development Publishing House.

Rahaman, H., Khatun, S. & Bilkis, A. (2013). Electoral Management in Bangladesh and India: A Comparative Study. University of Dhaka: Journal of Sociology, 5 (2), 91-111.

Rahman, M. S. (2001). Law on the election in Bangladesh. Dhaka: published by Mrs. Mahfuza Rahman.

The High Court Division (Bangladesh) Verdict Acknowledging Mother as Legal Guardian of a Child and its Probable Impact on the Person and the Respective Society

Mahmuda Akand[*]

Abstract

Social values and laws, both require to evolve following better conscience and reason. Recently, the High Court Division of Bangladesh has ruled that mothers can be the sole guardian of children. Before this verdict, only fathers were considered as legal guardians in Bangladesh and it was a practice that an individual, a child or a student, will be identified by father's identity only. This paper shows that this verdict has not only provided an individual, in Bangladesh, with the opportunity to be identified only by mother's identity, in required cases, but also has created an opportunity to rethink about the idea of individual identity which may influence the perceptions of Bangladeshi society regarding identity, human dignity and gender relations.

Key Words: Children's right, Gender equality, Guardian, Human dignity, Individual identity, Law, Verdict.

Introduction

On 24 January, 2023, the High Court Division of Bangladesh declared that a mother can now be a sole guardian of a child. The verdict was delivered in response to a writ petition saying that every citizen of Bangladesh has the right to education and job under the constitution and mentioning only the mother's name when filling out the student information form would be sufficient. A student cannot be forced to mention his/her father's name against his/her will. The civil society of Bangladesh has marked this verdict as historical one considering this a step forward towards the establishment of women's rights and the attainment of gender equality. This paper aims to address the issue by focusing on the notion of naming, identity and personhood and to analyze how this verdict would facilitate in changing some perceptions and norms regarding the identity of a person that prevails in the Bangladeshi society.

The Path towards the Verdict

As per the media report (The Daily Star), back in April, 2007, Rajshahi Education Board refused to provide admit card to a Secondary School Certificate Examinee since she was not willing to mention her father's name. The girl was raised by her mother alone after

---

[*] Associate Professor, Department of Philosophy, Jahangirnagar University.
Email: mahmuda.akand@juniv.edu

her biological father left them without giving them recognition. Following this incident, on 2 August, 2009, three human rights bodies- Bangladesh Legal Aid and Services Trust (BLAST), Bangladesh Mahila Parishad and Nari Paksha jointly filed a writ petition citing public interest. On the next day, the High Court bench of Justice Syed Refat Ahmed and Justice Moinul Islam Chowdhury issued a rule asking why this discriminatory provision, which is an obstacle to access to human rights, equality and especially the right to education, should not be declared as contrary to law and unconstitutional. The HCD also ordered the authorities concerned to submit a report on the arrangements in place for students who are eligible to sit for a public exam but do not wish to disclose the name of their father. Later, on 6 June, 2021, Bangladesh Legal Aid and Services Trust (BLAST) filed a supplementary affidavit in court on behalf of the petitioners. After several hearings, on 24 January, 2023, the High Court bench of Justice Naima Haider and Justice Razik-Al-Jalil pronounced the judgment. This verdict is not only significant for ensuring one's right to education but also has created an opportunity to think differently about traditional naming procedures and one's personal identity.

The Notion of Identity and International Human Rights Declarations

The idea of identity is defined differently in various contexts. In this paper I am concerned with the idea of personal identity. Generally, personal identity is understood as individual identity (Brown & Wade, 2022). In this approach, one's identity is constituted of the qualities that make that person different than others. It is possible that one may be different from what s/he thinks to be. Some identity theorists have distinguished between individual identity and communal identity. Eekelaar (2018) shows that in the case of individual identity one's personal characteristics are the main focus while the communal identity is related to one's identification with external social networks, such as race, religion, nationality, etc. Among other perspectives on identity in the social sciences the idea of narrative identity is a prominent one which is about constructing an integral life story (McAdams & McLean, 2013). This form of identity is understood as dynamic because this involves one's understanding of his/her past, present and where he/she wants to be in future. Since, social, political and cultural factors influence one's understanding of his/her life, narrative identity is considered to be socially embedded.

Some theorists argue that it is important to link identity to genetic ties. They hold that a human being needs to know his/her genetic progenitors to be connected with them to have a better understanding of self. Velleman (2008) links parental responsibilities with genetics and claims that these responsibilities are not transferrable. But this view is criticized that there is no empirical data that proves the necessary connection between the genetic parents and human flourishing and such approach may create problem for human autonomy (Brown & Wade, 2022). However, if we consider the idea of narrative identity, an individual may feel that it is important to know about his/her biological parents to understand his past and to have a complete biography, i.e., identity.

It seems that different theorists have different interpretations of the idea of personal identity. However, the idea of children's identity has received importance in laws and humanitarian declarations. According to the article no 7(1) of UNCRC (UNICEF, 2023),

> The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

This declares that children are entitled not only to life, name and a state but also to their parents. Article 8(1) asserts that states are responsible to preserve and respect children's right to identity, name, nationality and family relations (UNICEF, 2023). The idea of identity in UNCRC seems to involve some elements of communal identity, namely nationality, and also connects identity with genetic ties by claiming that children's have the right to know and be cared for by their parents. Though, Article-9 in the declaration (UNICEF, 2023) has authorized the state and the legal parties involved to ensure children's wellbeing if they need to be separated from their parents, in case of a divorce or for any other reason, the statements in UNCRC seems to connect children's identity to the idea of an ideal family and parenthood.

In the preamble of UNCRC and in the WFD (2023) family is considered prior to the state and defined as the fundamental social unit which is formed by the union between a man and a woman. It is also supposed that family is the cradle of life and the base of a society. WFD also expresses its concern about the decline of values regarding family and marriage and holds that human civilization cannot sustain without upholding the value of a family and providing the children with a proper family environment. A family is considered as the key to the formation of children's identity. It seems evident that the humanitarian declarations tag identity with genetic ties.

But we don't live in an ideal world in which ideal parenthood and social orders are maintained. Children are often abandoned by their own parents and families. We cannot deprive our children, who are not the offspring of legitimate couples, war children or the children of rape victims and the children of sex workers, of identity, the right to education and the right to live a decent life afterwards. Unfortunately, it seems that, the humanitarian declarations consider only the rights of children who are born out of socially approved relationships; not the rights of all children. The conceptualization of identity in these documents prioritize genetic ties as the key determinant of one's identity.

Laws Regarding Children's Naming, Identity and Guardianship in Bangladesh

Bangladesh is a signatory of UNCRC and UDHR. In Bangladesh legal decisions regarding children's custody and guardianship are guided by Family Courts Ordinance (1985) and Guardians and Wards Act (1890). Custody and guardianship are considered two different matters. Custody is the possession of a child and guardian means a person having the responsibility to take care of a minor or of his property or of both. Both mother and father can be the custodian and guardian of children if considered and proved to be fit for the responsibility. When a child is born here the parents are obliged to

register the birth and need to mention the names of both parents. Since, Bangladesh is a Muslim majority country, Islamic values and traditions are also respected here. Thus, family laws that regulate marriage, divorce, inheritance of property, children's identity, custody and guardianship respect the international humanitarian declarations as well as upholds the Islamic values. In cases concerning the follower of other religions Islamic values and laws are not consulted. According to the Islamic law both mother and father can get the custody of a child considering the age of the child but it seems that we focus much on father's identity and recognition regarding the issue of naming and identity of children (Fmassociatesbd, 2023). That is, father's identity is considered important for the identity of a child and father's name must be mentioned in all documents and certificates that can be related or awarded to a child or an individual. It is a common practice here, regardless of class and religion, that children carry their father's family name and are addressed and identified by that name. No matter what, a child or an individual has to be attached to their father's name. If one is not willing to maintain this norm and hesitates to mention his/her father's name, this is considered a matter of shame and the society refuses to accept that individual as a respected member of it and to provide certain facilities (this is exactly what happened in the case that led to the historical verdict). An individual was often forced by the society to carry his/her father's name to be treated properly in various spheres of life even if the biological father had disowned or harmed the person mentally or physically. The reason seems to be the patriarchal mindset and the perception of identity that prevails in the society of Bangladesh. As in international declarations like UDHR and UNCRC, the family laws and the society in Bangladesh also connects identity with genetic ties but used to emphasize much on father's name and identity.

Though the family laws in Bangladesh allows mothers to be the custodian of a child if the father proves to be unfit for being the custodian, the child had to carry his/her father's name to be identified and to be recognized by the society before the verdict was delivered. The new verdict acknowledging mother as the legal guardian and recognizing children's wish to be identified by their mother solely has opened the horizon for many who are not willing to carry their father's name and to be identified accordingly for various reasons. This verdict also has acknowledged the effort and struggle of mothers who are single and performed the parental responsibilities alone. The aim of this verdict obviously is not to deprive fathers from performing their responsibility and being acknowledged as guardian of their children. This law only aims to provide a child or an individual the freedom of not mentioning one of his/her parent's name or identity according to his/her wish.

I have already discussed that both CRC and Family Laws in Bangladesh seems to assume an ideal situation while considering children's identity and connecting identity with genetic ties. In the patriarchal societies children's identity is mostly constructed by father's name and identity. But we live in a world in which we have to deal with broken families, insincerity of parents, children of sex-workers, war children and rape-children.

Thus, it is a concern how we can provide a child with an identity that will do justice to his/her existence.

I have discussed, earlier, that a child had to mention and carry his/her father's name to get access to the basic rights, like the rights to education and social recognition, and to avail facilities available in Bangladesh. But there were and there are cases in which a child doesn't get any recognition or support from the father. The mother alone raises the child and the father even doesn't show any concern about it. In this type of situations, often, it feels like an insult and pain to the child to be recognized by the name of the biological father. Mother's identity solely was not considered acceptable by the society and some institutions that provide basic facilities had prejudices (before the verdict was delivered) about the sole mentioning of mother's name. It is not the case that mothers never deny of their duties. But it never became a problem if the child doesn't mention his/her mother's name since father was considered a legal guardian. It is not easy for a child whose parent are not considered legal couples to get access to education and to be treated with dignity as other children of the same state and society. A child who is born out of a rape incident, a child of a sex worker, a child whose biological father has disowned him/her are also not considered to be a part of the mainstream society. In spite of their emotional attachment to the child, considering the unpleasant consequences the child would face, mothers, often, feel obliged to terminate the pregnancy or to sending their children away -for adoption or to the orphanages, and to hide their own identity from the children for long. The new verdict has created an opportunity to ensure the rights of children disowned by the biological father, rape babies and children of sex workers. Since, mothers are now legally acknowledged as the guardian of children, by law mentioning only mother's name (if the child wishes so) is acceptable, children's identity may not be jeopardized with patriarchic prejudices anymore. This verdict will serve the interest of all children who have the right to be treated with dignity and have the same value of the adults in every possible situation.

However, people of Bangladesh have shown mixed reaction regarding the issue. Some have appreciated this verdict as a keeper of mother's and children's right and some have criticized this verdict by claiming that this will give a favor to the illegitimate children, so to speak. In the following section I am going to focus on the connection between individual identity and human existence and the tag of 'illegitimate child'.

Identity, Human Existence and Human Dignity

According to the UNCRC a child is considered to have the value of an adult human being. Thus, a child has the same right and dignity as of a human being. Being human requires the recognition of his existence. The notion of human existence is not defined only in terms of being in certain space. The idea of human existence is a complex one that involves various factors.

Who is existent as a human being? -this remains the main concern for the existential philosophers. Among them Jean Paul Sartre (2007) has provided an elaborated and well

accepted explanation of human's existence. Sartre's view includes the idea of human freedom, autonomy and responsibility. According to Sartre, human beings are condemned to be free (Sartre, 2007). It is the consequence of our freedom that we are responsible for our thoughts and actions. A human being is not defined by his shape, color or size. One becomes existent as human being by practicing his/her freedom; by thinking and acting freely. One can look like a human but would not become existent and identified as a human until s/he understands her/his freedom and act upon it. The idea of freedom in Sartre's philosophy involves responsibility towards others. It may feel sometimes 'the other' is an obstacle to freedom. But Sartre (2007) holds that we are not only responsible for ourselves but also for others. The way we act, the way we become. One cannot be considered as an existent human being until he acts freely and takes the responsibility of his actions (Sartre, 2007). It seems that Sartre relates human identity and existence with the characteristics of being free and being responsible.

Immanuel Kant (1998) has considered rationality, freedom and autonomy to be the basis of human dignity. According to Kant, by virtue of rationality we acquire the dignity as human beings. He claims that,

> Reason therefore relates every maxim of the will as universally lawgiving to every other will, and also to every action in relation to itself, and this indeed not for the sake of any other practical motive or future advantage, rather out of the idea of dignity of a rational nature which obeys no law but that which it gives itself at the same time (Kant, 1998).

Rational nature is dignified and human beings, as rational creatures, are entitled to dignity from their birth. Human beings are different than other creatures because they have dignity. Other things have price, and can be used. Since, human beings have dignity, we should treat each other as ends not as means. No matter what, one's dignity should not be violated. It seems that the international laws have failed to cover the normative value of each human person, though these laws aim to ensure human dignity, which is considered significant in Kant's philosophy (Teson, 1992).

A human child, who is given the same value as an adult in UNCRC, in this consideration is also free and becomes existent and acquires identity through various practices in different stages of life. A child, at certain stage, can understand who is protecting and caring for him/her. S/he feels love and respect to the caregiver and grows a sense of responsibility towards that person. Accordingly, s/he takes the decisions related to her/his life and identity. It feels nothing wrong to carry and mention the name of the mother and father if the child finds them responsible and caring. But there are other possibilities to consider, since we don't live in an ideal world. If one of the parents does not fulfil the responsibility to the child, it may feel hard for the child to carry the name and being identified and associated by the name of that person. This also violates her/his dignity by putting her/him under certain obligation. The recent HC verdict seems to provide a child with the freedom to be identified by the name of a parent whom s/he chooses and be treated as a dignified individual. This verdict has also given an opportunity to the

children of rape victims and sex-workers to carry and to be identified by the name of their mothers (in possible cases), to be considered as dignified persons, and to get access to the available facilities and basic rights.

Parent's Sexual Morality, Sufferings of the Children and Probable Consequence of the Verdict

I have mentioned earlier that the netizens of Bangladesh have expressed mixed reactions to the verdict acknowledging mothers as the legal guardian of a child. Since, this verdict also has approved that mother's name solely is enough to get registered for any exam, some people on social media network like Facebook has expressed their concern about the possible consequence of this verdict. They claim that, this will reduce people's respect and obedience to the sexual morality that prevails in the society and also disrespects Muslim sentiment and Islamic law. This law will mostly benefit the 'illegitimate child'. But it seems that this goes against the Islamic spirit. It is not allowed in Islam to humiliate or discriminate a child or person for the crime he is not responsible for (The *Quran*, 6:16). Though the sexual relation without marriage is prohibited in Islam, a child born out of such intercourse has the same dignity as any other child in the society. If the name of the father is unknown then the child is allowed to carry his/her mother's name and inheritance. But if the father is known then he is bound to give the child a name and inheritance.

Watson (2018), in her paper "The Illegitimate Family", has claimed that even in illegitimacy, there is a family- a child, a mother and a father. The relationship between the father and the mother in this case is not accepted by the law or by the social, cultural values and hence the relationship and the child born are considered illegitimate. The decision of mating is not made by the child. It takes the involvement and decision of two adults. Therefore, the question of legitimacy can be raised against the relationship of the adults but not about the legitimacy of the child and his/her existence. It seems like in this type of cases children are being punished for the decisions of their parents.

But, in Bangladesh, the children who are born out of rape of their mothers or a false or unregistered marriage that was disowned by the man afterwards are not treated well and are deprived of identity and social dignity. The same goes for the children of the sex-workers. In these cases, children are being punished for the crime they haven't committed. Though there are laws (*Nari O Shishu Nirjatan Daman Ain*, 2000) regarding the identity right of the rape-borne children, the social stigma regarding them prevails in Bangladesh. It has been claimed by many that the new verdict paves the way for those who has violated or will violate the existing values regarding sexual morality in the Bangladeshi society. Some may claim that it is important to maintain the social orders and to uphold certain social and cultural values. For these reasons, we have to strictly deal this type of cases. It seems that the society is ready to ignore the innocence of the child and to deprive him/her of basic rights to maintain sexual morality within its members. Following Kant (1998), it can be claimed that the society is treating the children who are not born out of a socially approved relationship or somehow disowned

by their fathers as means, not as ends. Thus, their dignity as human being is violated by the respective society.

The fear or the concern that the new verdict allows the so-called illegitimate children, along with the legitimate ones, to get access to education and other services available in the Bangladeshi society doesn't make the law flawed or unjust. Rather, this gives us an opportunity to secure the rights of children in every possible situation. We cannot guarantee that children always will be born in ideal families, in legitimate relationships. We also cannot guarantee that every child will have parents with proper intention to fulfill the responsibilities and the parents will have decent professions. Therefore, we can't deny the rights of children who are not fortunate enough to have ideal parents. Therefore, if a child wants to be identified by the name of one of his/her parents there should be no legal objection or obstacle to that.

The verdict has not only paved the way to ensure the dignity and rights of the children as human beings but also the rights of mothers who are subjected to various social and cultural injustices. An individual is freed from the obligation of being identified as an offspring of a person who failed to be a good parent, or has jeopardized his/her life. This law has created an opportunity to build a more inclusive society which values human dignity and potentiality, rather than sticking to one's genetical identity. Above all, this verdict seems to make the society and its members to contemplate on the perceptions and values regarding individual identity, gender relations, parenthood, human dignity and to overcome the social stigma regarding one's genetical identity and motherhood without marriage or with an unsuccessful marriage.

Conclusion

This paper has shown that the HCD (Bangladesh) verdict acknowledging mothers as legal guardians shows the necessity of redefining the idea of individual identity in the given society along with ensuring gender equality. This paper has argued that the verdict would facilitate the mother and children who are victims of various injustices by ensuring their legal acceptance and access to basic rights. The rights of children should not be abided by the condition of being acknowledged by their fathers. Our perceptions and values regarding sexual morality should not problematize the potentiality of children and to question their existence, dignity and identity as human beings. Laws are made to protect individuals from various injustices. The verdict in question would not only protect children's rights, in various situations, but also would help changing the social perceptions regarding individual identity, parenthood and gender relations.

References

Brown, A. & Wade, K. (2022). The Incoherent Role of the Child's Identity in the Construction and Allocation of Legal Parenthood. *Legal Studies*, First View. Cambridge: Cambridge University Press.

Child Custody in Bangladesh - Jural Acuity, Accessed on 7th February, 2023.

Eekelaar, J. (2018). Family law and identity. *Oxford Journal of Legal Studies*, 38(4).

Faiz-ud-Din, M. (2020). *A Text Book of Islamic Law*. Dhaka: Shams Publications.

HC ruling acknowledges mothers as legal guardian | undefined (thedailystar.net). Accessed on 28th January, 2023.

Kant, I. (1998). *Groundwork of the Metaphysics of Morals*. Translated by Mary J. Gregor, Cambridge: Cambridge University Press.

Legal Child Custody after Divorce in Bangladesh (fmassociatesbd.com), Accessed on 1st February, 2023.

McAdams, D. & McLean, K. (2013). Narrative identity. *Current Directions in Psychological Science*, 22(3).

Nari O Shishu Nirjatan Daman Ain (নারী ও শিশু নির্যাতন দমন আইন, ২০০০ (minlaw.gov.bd)), Accessed on 1st February, 2023.

Sartre, J. P. (2007). *Existentialism is a Humanism*. London: Yale University Press.

Teson, F.R. (1992). The Kantian Theory of International Law. *Columbia Law Review*, USA: Scholarly Publications, 92 (1): 53-102.

The-Family-Articles-2.pdf (civilsocietyforthefamily.org), Accessed on 3rd February, 2023.

UNICEF. (2023). Layout 1. unicef.org.uk, Accessed on 2nd February, 2023.

Velleman, J. (2008). Persons in prospect: II. The gift of life. *Philosophy and Public Affairs*, USA: Wiley, 36.

Watson, A. E. (1918). The Illegitimate Family. *The Annals of the American Academy of Political and Social Science*, 77: 103-116.

World Family Declaration (www.worldfamilydeclaration.org), Accessed on 3rd February, 2023.

Healthcare Services Through Public-Private Partnership in Bangladesh: Challenges and Prospects

Md. Ahsan Habib[*]

Abstract

Public-Private Partnership Healthcare Service is an almost new practice in Bangladesh. Till now, in Bangladesh, almost everywhere, both public and private hospitals are providing healthcare services separately. Recently in a few hospitals and in particular cases, PPP healthcare services have been started like the Kidney Hemodialysis Centre in the National Institute of Kidney Diseases and Urology, Dhaka, and Chattogram Medical College Hospital. But all over the world, the PPP system is being adopted increasingly. It is well recognized that the Bangladesh government is trying with its full effort to improve healthcare services and now it has improved a lot. But still, it is not satisfactory. Government hospitals have some limitations such as weak health administration, lack of proper monitoring, shortage of manpower, procrastination in decision-making, mismanagement, corruption, etc. On the other hand, private hospitals have ill reputations for making excess profit, exploiting patients, shortage of proper equipment and skilled manpower, and so on. In such a situation, PPP healthcare is a system in which the private partner delivers services while the government agencies assist and monitor their activities. So if we can provide health services or run a hospital through PPP, the irregularity will be lessened and services will be more prompt and effective. Under these circumstances, this study tries to identify the prospect and challenges of PPP healthcare services at the upazila level in Bangladesh.

Key Words: Acute and Costly Treatable Disease (ACTD), Chronic Disease (CD), Medical College Hospital (MCH), PPP Healthcare Service (PPPHS), Private Partner (PP), Public Private Partnership (PPP), Public Private Partnership Healthcare Regulatory Authority (PPPHRA), Upazila Health Complex (UHC).

Introduction

Most of the time, the village poor people are bound to struggle for their livelihood and they cannot save money for the future. When such a poor person is affected by an acute and/or costly treatable disease, or when he falls in an accident that leads him to serious physical difficulties, he and his family cannot manage so much money at a time. Meanwhile, serious diseases like Stroke/Paralysis, Heart disease, Kidney diseases, Cancer, Road-traffic accident caused difficulties, Orthopedic diseases, Diabetes-related

---

[*] Director (Deputy Secretary) Rajshahi Division, Dept. of Environment, Ministry of Environment, Forest and Climate Change, BD, E-mail: ahsan24bcs@gmail.com

complications, etc. frequently occur in rural areas (Interview, Sarwar). In case of these diseases, solvent families are able to spend for treatment. But day laborers, landless farmers, hawkers, small shopkeepers, that is, the people who live from hand to mouth become helpless. Services in government hospitals have improved a lot but are not sufficient, especially in rural and semi-urban areas. The constitution of Bangladesh gives assurance of health facilities to every citizen. It is stated in Articles 15 (A) and 18(1) of the Constitution that it is a fundamental responsibility of the state to ensure nutrition and healthcare. According to Article 15 (a) of the Constitution, it is the fundamental responsibility of the state to ensure food, clothing, shelter, education, and medical care. Article 28 (4) of the Constitution says, "Nothing in this article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens". Moreover, by signing the Sustainable Development Goals (SDG) Bangladesh promised to ensure healthy lives and well-being for everyone.

In such a situation, Healthcare Services for financially backward people through PPP should be introduced. According to this concept, the private partner will run and operate the healthcare services with the association and supervision of the Government institutions. Citizens need new hospitals/better services with justified costs but the Government cannot do all of that because of constraints of money, skilled manpower or technology. That's why the Government invites private parties or companies to do those works in partnership with government entities. Both sides will calculate the cost of constructing, operating, and/or maintaining the project and come to a financial agreement. This is called a Public-Private Partnership or PPP. It is widely believed that PPP Healthcare services change the scenario of the health sector.

Objectives of the Study

The main objectives of the study are:

1. to analyze the present healthcare and Healthcare Services system in rural Bangladesh.
2. to find out the mechanism to implement Healthcare Services through PPP.

Justification of the Study

PPP-based Healthcare Service is a new idea on which no research work has been conducted. This paper deals with Healthcare Services that will be founded, operated and managed by Public Private Partnership. After the successful completion of this study, concerned authorities and the Government will be benefitted. The Ministry of Health and Family Welfare, Directorate of Healthcare Service will be able to know the problem and prospects of Healthcare Services through PPP. It will also help the Ministry of Finance and the Ministry of Planning to form projects. It will help to adopt necessary policies and plans and it may bring a great change in the rural healthcare system. Thus, ultimately poor people will be benefitted.

Scope and Limitation of the Study

The methods which have been adopted here are interview and questionnaire methods because it is easier to find samples since there are huge patients in village areas. Patients and attendants are very much interested in expressing their suffering, and experiences. Another thing is that rural poor people think if they enlist their name anywhere, they would get help from the government or other private organizations. So it is easier to find interviewees or samples. Moreover, the PPP website is open to all which helps this study run easier. Medicine sellers also know the ins and outs of the sufferings of patients/attendants and they have some idea on what to do.

The problem is that it is very much difficult to find out the actual scenario of rural health services. Because most information is qualitative, not quantitative. Sometimes people don't want to disclose their sufferings caused by health services institutions due to various reasons like politics or others. People's opinion sometimes is biased because of self-interest and misinterpretation of rules. Moreover, because of overburden, the health administration cannot record or provide sufficient information.

Operational Definition of the Key Words
Public-Private Partnership or PPP

Public-Private Partnership or PPP means (The Bangladesh Public-Private Partnership Act 2015) a contractual arrangement between e contracting authority and any private partner pursuant to which the private partner assumes the obligation/responsibility for carrying out any public work or providing any service on behalf of the contracting authority. In exchange for carrying out the public work or service on behalf of the contracting authority, the private partner receives-

I.   Consideration for the work or services from public funds;

II.   Charges/levy or fees from the users or service recipients; or

III. A consolidated profit through receiving consideration, charges or fee for the said work or services.

Private Partner

It means a party to the PPP contract other than the contracting authority, and shall also include the project company or its equity provider. It also means any natural person or any local or foreign company association like a legal entity, group of individuals, consortium, foundation, or trust.

The Public-Private Partnership Authority

The Office for Public-Private Partnership was established in September 2010 to act as a catalyst to proactively realize PPP projects. The PPP office supports line ministries to identify, develop, tender, and finance PPP projects. For interested investors and lenders, the PPP office provides a professional, transparent, centralized portal to high quality PPP projects. Staffed with both private sector professional and civil service resources, the PPP office helps augment government sector line ministry project development efforts with

world-class external PPP resources, with the goal of increasing the quality, attractiveness, and sustainability of PPP projects while realizing them in an efficient, cost-effective manner.

Viability Gap Funding (VGF) or Annuity:

The VGF shall be used to provide financial support to financially not viable but socially and economically beneficial PPP Projects to maximize the Value for Money for the Government. In case after collecting a standard amount of token money from the stakeholders, if there is a shortage of money, or if the government thinks that people should be provided service at half or free of cost then VGF or annuity is to be provided. Annuity shall be disbursed on a periodic basis (for example, monthly, quarterly, half-yearly or yearly) during the period when the project Company provides service under the PPP Project after the Commencement of operations.

Methodology

The Study Area

The present study deals with Gomastapur Upazila under Chapainawabganj District. Upazila headquarter, Rohanpur is 30 kilometers north of Chapainawabganj district town. Gomastapur Upazila is located between 24° 44' and 24° 58' north latitudes and between 88° 13' and 88° 58' east longitude.

The basic information about Gomastapur Upazila is given below (Upazila Web Portal)

Serial No.	Description	Quantity
1	Total population	275823
2	Total Household	82970
3	Total Land Area	318.13 sq. kilometer
4	Total municipality	1
5	Total Union	8
6	Total Village	266
7	Upazila Health Complex	1
8	Total Voter	151748

Before forming district administration at Chapainawabganj in 1984, Gomastapur Upazila as well as the whole Chapainawabganj district was under the Rajshahi district. From the British period, the people of Gomastapur upazila, feel comfortable going to Rajshahi for treatment, education or for other purposes.

Occupational Status of Households in Upazila Territory

Chapainabganj is a remote district that is more than 300 km from Dhaka and Gomastapur is 33 Kilometers from district towns. The main occupation of this upazila is agriculture.

The economic condition is not good in this upazila. Most people are involved in more than one occupation (Field Survey and Group Discussion). The scenario is given below:

Category 01- Farmers having land more than 2 acres: 12%
Category 02- Farmers having no/ small land: 45%
Category 03- Agro based labor without or having small land: 40%
Category 04- Non-agro laborers: 20%
Category 05- House workers: 3%
Category 06- Small shopkeepers/ hawkers/small businessmen: 14%
Category 07- Solvent Businessman: 3%
Category 08-Workless family/beggars: 2%
Category 09-Private job at NGO: 8%
Category 10- Job at business entity/ Shops: 6%
Category 11- Carpenters/masons/ other professionals: 2%
Category 12- Government job: 5%
Category 13- Mixed professions: 5%

Method

Data is collected from the root level people especially those who are involved with healthcare activities, patients and relatives of patients. Both qualitative and quantitative methods for this study have been adopted, but qualitative elements are more prioritized than quantitative elements. To carry out this study, Primary data was collected from various clinics, dispensaries and the residences of the sample group. To collect data from primary sources, the questionnaire method, interview method, and observation method, group discussion method have been adopted. Group discussion is considered to be a very fruitful method because after arguments a person has agreed to amend his opinion and thus come to a unanimous decision. For the questionnaire method, several question formats were prepared and it was supplied to the sample group. The question pattern was designed based on research objectives. Another technique was interviewing individuals. The questionnaire and interview methods were considered suitable because the sufferers are interested in expressing their feelings and disclosing the facts. Secondary data was collected from books, research works, articles, reports, essays, journals, newspapers, television, websites, online news portals, etc.

Sample Group, Data Collection, and Analysis

The sample was selected on a random basis and it was selected from all the regions of the research area and all sorts of people young and old, educated and low-educated, patients and attendants, etc. The sample group included people such as patients with chronic diseases, relatives of the patients, family members or attendants of the patients, village doctors (Short term Trained Doctors), public representatives, medicine sellers, social welfare officers, and doctors of the Upazila Health Complex.

A mainly descriptive-analytical method has been adopted in this study. After collecting data from both primary and secondary sources, all data were processed, analyzed and explained. Data included interviews, group discussions, tables of information, related

news, media reporting, patient visit, observing the hospitals and clinics, written and verbal applications of the patients seeking financial help, etc.

Findings of the Study

Insolvent People's Sufferings Due to Insufficient Medicare within their Reach and Loss of Workforce:

In rural areas of Bangladesh, more than 40% of households live from hand to mouth (Interviews). These people don't have the ability to receive treatment for sudden and costly treatable diseases. In some cases, a sudden expensive disease destroys a family. When the family head is affected by chronic disease, he and his relatives not only become anxious about collecting money for treatment but also for their livelihood in case the patient is the only earner of the family. At last, they sell their valuable lands, cattle, or ornaments and the whole family becomes helpless. School-going children become child workers and females are bound to work in others' houses or farming land. Dropout is one of the major causes of it. Sometimes the family becomes a beggar family. If a man of 40 years dies of a chronic disease, the country also loses its workforce. That's why a system is to be introduced so that poor people get instant benefits when they fall seriously ill.

Wastage of Time, money, and physical labor

Total population of Gomastapur Upazila is about three lacs (.3 million) (Upazila Web Portal, Gomastapur and Projection of Upazila Statistics Office, 2022) About 10% of people become affected by an acute and costly treatable disease like Stroke/Paralysis, Heart disease, Kidney disease, Cancer, orthopedic disease, diabetes-related complications, etc. or fall in an accident that leads them to serious physical difficulties. In most cases, either UHC or other clinics cannot provide proper treatment or cannot create confidence in people's minds. That's why those people go to distant towns like Rajshahi, Dhaka, or India for better treatment. But it becomes very difficult for them to manage so much money at a time. Day laborers, landless farmers, hawkers, small shopkeepers, that is, the people who live from hand to mouth become helpless. Services in government hospitals have improved a lot but till now it is not sufficient, especially in rural and semi-urban areas. In such a situation, if it is possible to establish a PPP hospital parallel to UHC and if possible to provide healthcare services through PPP then rural people will be benefited and have a great impact on the socio-economic situation. According to this concept, the private partner will run and operate the healthcare services with the association and supervision of the Government institutions.

Livelihood and Income Status of Households

A survey is carried out by the BBS to find out the daily income and expenditure of households. The survey is carried out from 01/01/2022 to 31/12/2022. The survey shows that the poverty rate has reduced and income has increased. The main information is given below: (Table A)

SL.	Matters to consider	2016	2022	Result
1.	Poverty rate	24.3	18.7	-
2.	Extreme poverty rate	12.9%	5.6%	5.6%
3.	The poverty rate in villages	-	20%	-
4.	Gini coefficient	482	499	-
5.	Average income of 1 person	-	7,614/-	-
6.	Average members in a household.	-	4.26	-
7.	Average monthly income of the family	-	32,422/-	-
8.	Monthly expenses are average	-	31,000/-	-
9.	Per household expenditure on food	-	14,003/-	-

Gomastapur is a remote upazila in Bangladesh. Here the scenario is different. A survey was launched to find out the minimum amount of money a family of 4 members needs for survival, that is, for food, nutrition, clothing, education, and normal healthcare. A formatted questionnaire was supplied to every 20 respondents who are also the head of household and also only earners of the family. Among the respondents, 70% express their opinion that the minimum income of a village family should be 20000-25000 taka. 20% say that it should be 25000-30000 taka. 8% say that it should be more than 30000 taka and 2% of people did not give an answer. The result is given in the following Table: (Table B)

Percentage of Opinionated Individuals	Minimum Amount of Money
70%	20000 – 25000
20 %	25000 – 30000
8 %	More than 30000
2 %	don't know
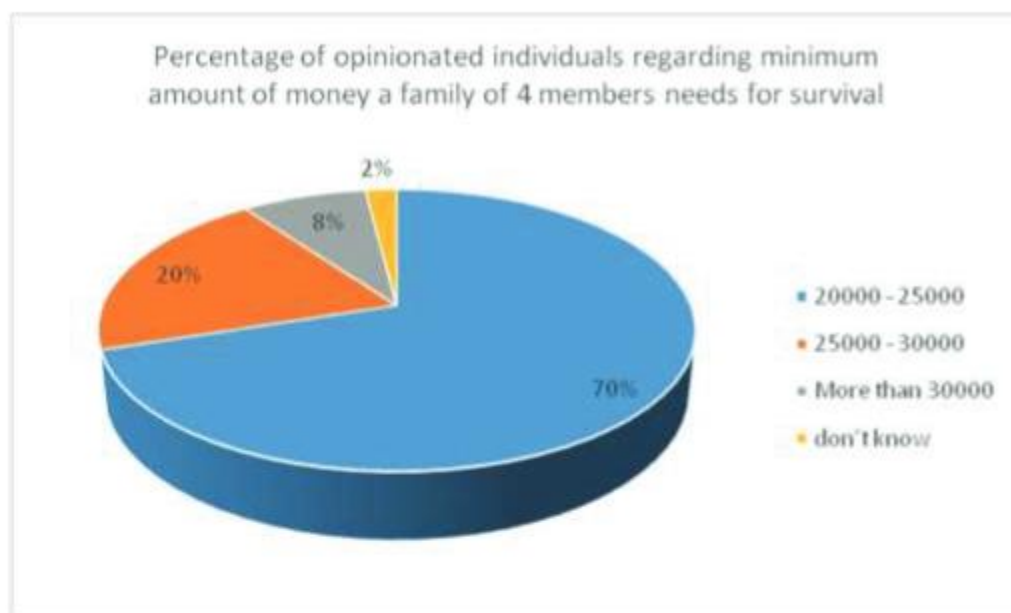
This money is not enough to spend for fulfilling all purposes. This is only for food, minimum nutrition, clothes, education expenses for regional institutions, and normal healthcare, like fever, headache, toothache, high-pressure medicine, and cold allergy. This is applicable to those households who don't need to spend for house rent. In order to save 5000 to 7000 taka for sudden acute disease, the income should be more than 30000 BDT.

Bangladesh has improved tremendously in the last 15 decades. In the near past, many families did not have enough food to eat three times daily. But nowadays all people have the ability to have meals 3 times. Per Capita Income reached 2824 USD in 2022, while it was 418 USD in 2000 and 781 USD in 2010. The increase in Per Capita Income is shown in the following table (BEC, 2022): (Table C)

Year	Per Capita Income
2015-16	1659 USD
2016-17	1816 USD
2017-18	1964 USD
2018-19	2122 USD
2019-20	2234 USD
2020-21	2562 USD
2021-22	2765 USD

Increase in Per Capita Income (USD)
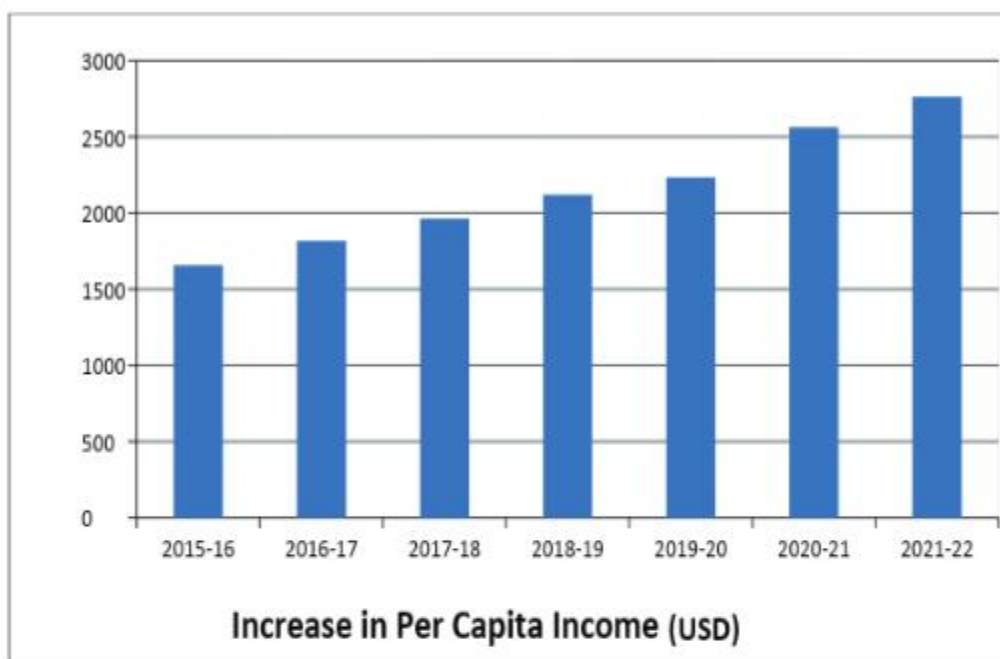
But still, many families don't have the ability to save 5000 taka per month and they don't have the capability to spend when they are affected by acute and costly treatable diseases (The Daily Star, 2022).

People's Capability of Spending for acute diseases: A group discussion was arranged to find out what percentage of people do have the capability to spend for serious diseases. This discussion finds that 8% of people have the ability to receive treatment easily, 10% of people have the ability to manage by selling property or by borrowing, 80% of people don't have the ability and 2% of people did not give no answer. The result is displayed in the following Table:

Variables	Percent of household
Do have the ability easily	8%
Have the ability by selling property or by borrowing	10%
Don't have the ability	80%
Others	2%

People's Capability of Spending for acute diseases
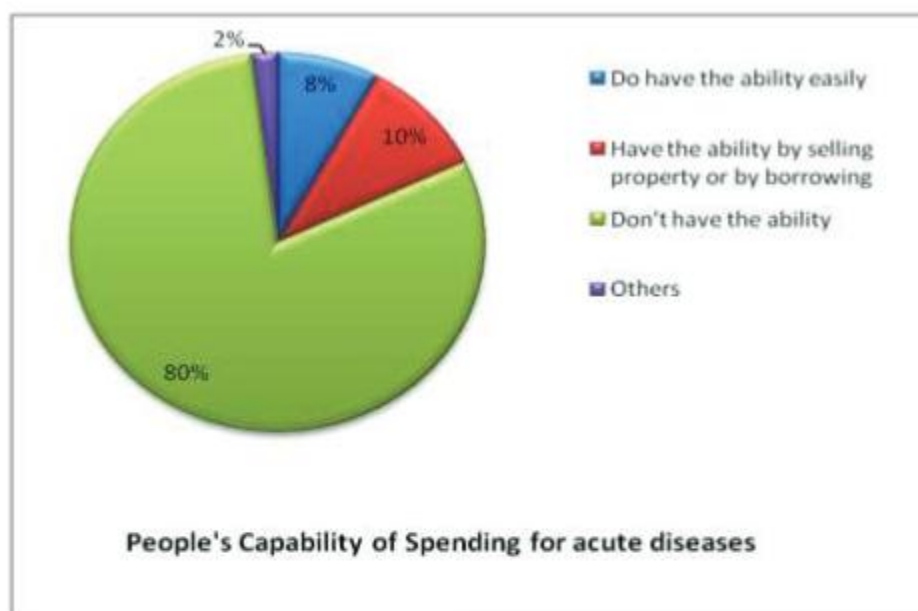
4.5 Healthcare Scenario of Gomastapur Upazila: Per Day

In an Upazila about 3-4 lacs people reside of which most of the patients depend on the treatment of Upazila Health Complex. When they fall into serious illness, first they go to UHC. If UHC refers them to MCH or other hospitals, most of the time they go home and collect money and this is dangerous for patients. Here is some information about patients.

Disease	Number of Patients who come to UHC	Received treatment & back home%	Referred to MCH /Other hospitals%	Went back home without proper treatment
Heart disease	20	10%	90%	10%
Major surgery	10	0%	100%	8%
Trauma/Accident	25	10%	90%	15%
Kidney disease	5	5%	95%	15%
Stroke/ paralysis	5	0%	100%	10%
Child delivery	10	30%	70%	40% go to pvt. hosp.

It is observed that when referred, most of the patients go to a divisional town for medium to serious treatment. Because compared to the huge number of patients, doctors, nurses, technicians and instruments are fewer. Moreover, most of the time, diagnostic and

surgical instruments remain immobilized. Those who cannot go to remote towns due to money crises, go back home and suffer.

People's Dissatisfaction with Upazila Health Complex

In rural areas of Bangladesh, a very few percentages of people have the ability to spend for serious treatment. When poor people fall ill, they go to Upazila Health Complex, but they do not get satisfactory healthcare service in UHC. To find out the causes of People's Dissatisfaction in receiving treatment in UHC a formatted questionnaire was supplied to every 20 respondents who regularly go to the hospital to have treatment. The result is displayed in the following table (POOI- Percentage of Opinionated Individual):

Sr. No.	Issue	POOI
1	Shortage of doctors and Nurses in comparison to patients	85%
2	Shortage of proper instruments and Shortage of technicians	60%
3	Weak monitoring and management	80%
4	No proper mechanism to keep machines running uninterruptedly	88%
5	Absenteeism and Irregular Attendance of doctors	70%
6	Referral tendency of doctors	45%
7	Lack of concentration of doctors due to excess private practice.	90%
8	Insufficient salaries & other facilities for doctors and nurses	85%
9	Shortage of beds in UHC	55%
10	Dirty Atmosphere (Beds, bathroom, toilet, compound).	90%
11	Lack of Grievance Redress system	80%

Shortcomings of government hospitals or clinics

a) Some employees of government hospitals are less sincere as they are not personally benefited.
b) Limited scope of performance-based promotion and salary.
c) Insufficient employees,
d) long process of recruitment, malpractice in recruitment,
e) Management crisis, unjustified transfer,

f) Cannot take decisions quickly because there are so many rules and regulations,
g) Abundant irregularities, corruption and insufficient monitoring.

Factors behind the popularity of PPP Healthcare Service:
Private Partners may have multi-sectoral experience & expertise which will add an extra dimension to this purpose. Moreover, partnering with private organizations could significantly reduce the clutter created by abundant regulations, corruption and insufficient monitoring. In such a situation, if it is possible to establish a PPP hospital parallel to UHC and if possible to provide healthcare services through PPP then rural people will be benefited and have a great impact on the socio-economic situation. According to this concept, the private partner will run and operate the healthcare services with the association and supervision of the Government institutions.

Advantage of PPP Health Service
  a) Competition among private companies, struggle for fame, goodwill and reputation.
  b) PP Recruits expert and efficient manpower for the sake of goodwill.
  c) Scope of performance-based promotion and salary
  d) Instant punishment for misdeed and negligence
  e) Quick decision-making
  f) Proper Human Resource Management

Process of Running the PPP Healthcare System
The government will provide land for constructing a new hospital at Upazila level. The **Private Partner** will build that hospital, appoint its own manpower, install equipment and then provide modern healthcare at a minimum cost. There will be a chart of services and a list of costs. The competition will arise among UHC, PPP hospitals and private hospitals. Government hospitals provide service at very low cost, PPP hospitals render service with medium cost and minimum profit while private hospitals render service with high cost. Patients will go to the hospital according to their financial capability and choices. For services, PPP Hospital will collect money. If it is not enough for actual cost and their profit then the government will provide an annuity or VGF. The government will watch the activities of PPPH and try to improve services to the people.

Conclusion

In conclusion, it can be said that quality healthcare service with minimum cost can be insured through PPP. It will help to reduce irregularities and exploitation of common people. The government alone is not able to invest the huge amount of money needed in providing efficient healthcare facilities to 170 million people. Implementation of the PPP model in hospitals will help to reduce the gap between service and quality. In Bangladesh, the main problem in the health sector is the management engine. So if it is possible to run the system by an efficient, hard-working, dedicated, impartial and honest controlling authority, the whole system will work well. The PPP model enables the

delivery of efficient and cost-effective public services with modern facilities, whilst minimizing the financial risk. Therefore, it is easy to assume that adopting the PPP model in the health sector would significantly increase the access of poor people in receiving healthcare, improve the quality of service, lessen the time in receiving service, and save the government money in the process. This much-needed change can happen by onboarding the private sector and its innovative experiences under PPP models.

Recommendations
PPPHS should be introduced at Upazila Level:

Healthcare service through the PPP system is to be launched, because the government healthcare system cannot fulfill people's demands and aspirations. Private Partners may have multi-sector experience & expertise which will add an extra dimension to health service. Moreover, this could significantly reduce the clutter created by procrastination in decision-making, irregularities and insufficient monitoring. People will get quality service at a reasonable cost and there will be no scope for exploitation.

Fixation of cost of healthcare packages and diagnostics:
The authority has to fix the rate chart of all services provided by hospitals or clinics. According to that rate the private partner will collect treatment charges from the patients. The list will include the followings:

    a) Cost for treatment, surgery and nursing for "A" category private hospitals
    b) Cost for treatment, surgery and nursing for "B" category private hospitals.

Formation of PPP Healthcare Regulatory Authority (PPPHRA):
A regulatory authority by any name is to be formed with its committee at upazila level.

b) Authority should consist of Experts on Health admin, Doctors, Administrators, members of Civil society and Representatives of patients. Representative of the Private Partner will attend the monthly meeting and submit monthly reports. It will monitor the activities of private partners, make laws, and guidelines and amend it when necessary

Enactment of Law and Formation of Effective Guideline:
The success and failure of PPPHS project largely depend on the quality of law. The draft law should be open to all for a long time for public opinion and for further correction. After getting public opinion, this should be reviewed. During practical implementation, if any change is needed, it should be done.

Household Database on Financial Status (HDFS):
To implement the PPP healthcare service project, the categorization of people according to their financial ability is a must. There should have four categories of households according to their financial ability.

Category	Households Description	Abbreviation	Household income
A	Extreme Poor	EP	Less than 10000 BDT
B	Moderate Poor	MP	Less than 15000 BDT
C	Above Poverty Line	APL	More than 20000 BDT
D	Solvent	MS	More than 30000 BDT

Upazila Healthcare Fund (To provide monetary help to poor patients):

Upazila-based healthcare fund is to be created. The government will give a grant for this fund. Donations are to be collected from rich people, traders, industrialists, bank owners, and other organizations. Funds can also be developed with the help of donor countries around the world. The fund can be enriched by Lottery ticket selling, FDR in banks and other investment processes. This fund can also be used for the payment of Annuity or Viability Gap Funding (VGF).

References

Amin, A. M. (2008). Getting health to rural communities in Bangladesh. *Bulletin of the World Health Organization, 86*, 85-86.

Bangladesh Bureau of Statistics Report 2017. (2018). Bangladesh Bureau of Statistics & Informatics Division (SID), Ministry of Planning.

Bangladesh Economic Review. (2022). Finance Division, Ministry of Finance, Bangladesh.

Dulal, O. and 10 respondents of Gomastapur upazila, Chapainawabganj, Bangladesh. (2022). Interview.

Household Income and expenditure survey. (2022). Bangladesh Bureau of Statistics.

https://www.investopedia.com/terms/p/public-private-partnerships.asp as on 29-6-2023 (2023) Investopedia.

Joarder, T., Chaudhury, T. Z., & Mannan, I. (2019). Universal health coverage in Bangladesh: activities, challenges, and suggestions. *Advances in Public Health, 2019*.

Mahmood, S. A. I. (2012). Health systems in Bangladesh. *Health Systems and Policy Research, 1*(1), 1-4.

National Council on Aging. (2020). https://www.ncoa.org/article/chronic-versus-acute-disease.

National Health Policy 2011. (2011). The Ministry of Health and Family Welfare Bangladesh.

Nazneen, K. (2001). Governance of the healthcare sector in Bangladesh, University Press Ltd.

New Age. (2008). *Rethinking How the State Delivers Health Services.* Available at: https://www.newagebd.com/edit.html#2. Accessed on: May 22, 2012.

Perry, Henry B. (1999). *A Vision for the Twenty-first Century,* University Press Limited, The World Bank.

Public Private Partnership Authority, Bangladesh. (2015). *PPP Regulatory Framework.*

Public Private Partnership Authority, Bangladesh. (2017). *Policy for implementing PPP Projects through Government to Government (G2G) Partnership, 2017* (Amendment).

Public Private Partnership Authority, Bangladesh. (2018). *Guidelines for Contractual Employment in PPP Authority.*

Public Private Partnership Authority, Bangladesh. (2018). *PPP Authority's Fund Operating Procedure.*

Public Private Partnership Authority, Bangladesh. (2018). Rule 3(2) (2(21) b), of "The Rules for Viability Gap financing for PPP Projects 2018".

Public Private Partnership Authority, Bangladesh. (2018). *Rules for Public-Private Partnership Technical Assistance Financing.*

Public Private Partnership Authority, Bangladesh. (2018). *The Bangladesh Public-Private Partnership Act 2015, Section 2(27).*

Public Private Partnership Handbook. (2008). Asian Development Bank.

Sarwar, Dr. M Golam, MBBS, BCS, MD-Phase-B (Neurology). (2022). Bangabondhu Sheikh Mujib Medical University, Interview.

The Daily Star. (11 May 2022), *Bangladesh's per capita income rises to $2,824.*

The Procurement Guidelines for PPP Projects. (2018). Guideline No. 4.1 (xvii), Public Private Partnership Authority, Bangladesh.

Upazila Web Portal, Gomastapur, Chapainawabganj. (2022). Upazila Administration, Gomastapur, Chapainawabganj Bangladesh.

World Bank Guidance on PPP Legal Framework. (2022). The World Bank.

Revitalizing Democracy and Governance in post COVID-19 Pandemic: Bangladesh perspective

Nazia Arifa[*]

Abstract

An inclusive epidemic known as COVID-19 has resulted in noteworthy societal and financial glitches, as well as political upheavals, in addition to substantial public health disputes. Public safety concerns have clashed with democratic civic norms and expectations as well as basic rights because of this uncertain pandemic scenario, which has caused unsteadiness in Bangladesh's social structure, governance, and political system. To recuperate miserable circumstances of Bangladesh and counteract the effects of COVID-19, it is essential to resuscitate democracy and governance after pandemic era. The aim of this research is to investigate approaches that will reenergize democracy and governance of Bangladesh after pandemic. The study was conducted using a qualitative research methodology. The paper examines COVID-19's negative impacts as well as presents proposals for establishing good governance and accountable institutions, efficient leadership and management, implementing USAID program and the G&I Umbrella Program of the Work Bank, efficient leadership and management, free and fair elections, active local government, civil society, and civic engagement in public decision-making for recovering Bangladesh's damaged democracy and governance in the wake of the catastrophe.

Key Words: COVID-19, Democracy, Revitalize, Governance, Post Pandemic Era.

Introduction

The COVID-19 has caused numerous disruptions to health, the economy, and society, has been plaguing the whole planet since 2019. The country Bangladesh is not out of them and still facing challenges to tackle the crisis. Though from the beginning, Bangladesh was at high risk because of its dense population, crowded cities, unequal access to healthcare, and large population reliance on daily labour incomes (Anwar, 2020). At first COVID-19 was discovered in the Chinese province of Wuhan in 2019. Then mid-March 2020 the pandemic spread quickly throughout the world (Wu, 2020) (Bonotti and Zech,2021). Bangladesh is one of the severely affected country by the pandemic, along with other affected nations. It advanced in Bangladesh through China initially, and

---

[*] Assistant Professor, Department of Political Science, Jagannath University, Dhaka, Bangladesh, E-mail: narifa27@gmail.com

subsequently through other countries. The COVID-19 epidemic has had a severe negative impact on Bangladesh. A significant number of people in Bangladesh has become poorer due to losing their jobs and income sources. Due to increasing number of unemployment and poverty many people migrated in urban to rural areas throughout the country. Moreover, for continuous lockdown, the increased the vulnerability of the vulnerable group. When the coronavirus outbreak spreads across the globe, the Bangladesh government started to implement non-therapeutic preventive measures such as travel bans, remote office operations, country lockdowns, and, most crucially, social isolation. However, the government of Bangladesh was sometimes unable to successfully contain the pandemic due to the breadth of the country and the negligence of its residents. Bangladesh government has shown its sincerity from the beginning of the pandemic and taken efforts to protect the common people from the effects of pandemic. Like other developing countries, Bangladesh government has faced challenges of safeguarding safety, maintaining social distancing or quarantine, providing public health services, supplying public goods and upholding democratic values. The general public has begun to lose hope in government due to undesirable health care and governance. The paper explains the harmful consequences of COVID-19 and looks at how Bangladesh responded to the pandemic in terms of the health sector, lockdown management, humanitarian efforts, and community-level arrangements during the COVID-19 period and identifies areas where governance might be strengthened. In light of the problem of pandemic governance management, the study focuses on building good governance after COVID-19 with an emphasis on democratic values and institutional accountability and responsiveness. The study suggests that Bangladesh needs to establish an ideal governance system through a strong institutional framework that can protect common people and continue development activities through protecting democracy and governance. The article recommends for establishing good governance and accountable institutions, implementing USAID program and the G&I Umbrella Program of the Work Bank for promoting citizen-responsive governance and protecting democratic principles and rights; efficient leadership and management; free and fair elections; active local government; civil society, and civic engagement in public decision-making for recovering Bangladesh's damaged democracy and governance in the wake of the catastrophe.

Research Methodology

The study was conducted using a qualitative research methodology. The secondary information was gathered from a survey of the literature, including printed journal papers, news items, and online sources. Additionally, the author has gathered data from government and non-government organization databases about the COVID-19 situation in Bangladesh during the past few years in comparison to other afflicted countries. In addition, the author reviewed a variety of documents and publications to comprehend how COVID-19 harmed Bangladesh's democracy and system of government and to offer some suggestions for resolving the situation.

Conceptual Discourse: Democracy, governance and COVID-19

What is Democracy and Governance?

A crucial concept in politics and government is democracy. Commonly the term 'Democracy' is described as a form of popular rule. We refer to it principally as a kind of government that places equal importance on the needs of the individual and the group. In a democratic society, the will of the people is freely expressed, fundamental freedoms and human rights are upheld. In the center of it are regular individuals. According to Jeremy Bentham, democracy gives value of equality of citizenship and meeting popular needs, pluralism, compromise, guaranteeing basic freedoms and societal renewal. Additionally he illustrated that democracy entails two principles of popular control over collective decision-making and equality of rights in the exercise of that control (Bentham & Boyle, 1995).

The term "governance" is not a new one, on the other hand. It predates human civilization by a long shot. The act of making decisions and the manner in which they are carried out (or not carried out) are collectively referred to as the governance process. Accountability, transparency, responsiveness, the rule of law, stability, equity and inclusion, empowerment, and widespread participation are qualities of governance provided through organizations and procedures. It is concerned with the processes of interaction and decision-making among those involved in a collective issue that contribute to the formation, reinforcement, or replication of social norms and institutions. According to Goran Hyden, the term governance refers to a conceptual paradigm that establishes the parameters for appropriate political behavior, emphasizes the nature of relationships between the state and social actors, and describes how political actors can creatively intervene to change the structures (Website of South Africa's National Party, Governance Barometer: Policy guidelines for good governance). There are eight key components to good governance. It is inclusive, consensus-driven, accountable, open, and responsive. It is also effective and efficient. It also upholds the rule of law (United Nations Economic and Social Commission for Asia and the Pacific)

COVID-19 and Bangladesh context

The COVID-19 was first surfaced in the Chinese city of Wuhan in 2019 as a pneumonia of unknown cause. After the first death was reported in Wuhan, China, on January 11, 2020 (Islam, Ali, Akanda, Rahman & Kamruzzaman, 2020) (Zhang, 2020). The COVID-19 pandemic in Bangladesh is caused by the coronavirus 2 that causes severe acute respiratory syndrome (SARS-CoV-2). On March 8, 2020, the IEDCR, the country's epidemiology institute, revealed the first three confirmed cases. On March 11, 2020, the World Health Organization (WHO) declared COVID-19 to be a pandemic and asked countries to "identify, test, treat, isolate, trace, and mobilize their people in the response" (WHO, 2020). From 3 January 2020 to 30 October 2022, Bangladesh has 2,031006 cases of COVID-19, with 29,388 fatalities reported to WHO. 311,755,456 doses of vaccine

have been given as of 3 October 2022 (WHO Bangladesh COVID-19 Morbidity and Mortality Weekly Update (MMWU). 28 March 2022, No109.).

Table-1: Number of coronavirus (COVID-19) cases till February 28, 2023

Countries	Total number of effected people
Entire world (February 28, 2023)	679,905,737
Bangladesh	2,037,773
India	44,686,371
USA	105,266,332
UK	24,341,615
Japan	33,205,088
China	503,302
Brazil	37,038,230
Canada	4,591,149

Source: Statista 2023 (Table compiled by the author)

Until February 28, 2023, the outbreak of the coronavirus disease (COVID-19) had been confirmed in almost every country in the world. The virus had infected almost 680 million people worldwide, and the number of the death had reached almost 6.8 million. The most severely affected countries include the U.S., India, and Brazil (Statista, 2023). In Bangladesh, from 3 January 2020 to 21 March 2023, there have been 2,037,978 confirmed cases of COVID-19 with 29,445 deaths, reported to WHO. As of 20 March 2023, a total of 357,316,472 vaccine doses have been administered (World Health Organization). Despite the fact that coronavirus causes deaths among healthcare workers on the front lines of the epidemic all around the world, researchers claim that the pandemic is particularly lethal for Bangladeshi doctors in terms of fatality rates (Jahangir, 2020).

COVID-19's waves: Democracy and governance deterioration in Bangladesh

In addition to destroying public health and the global economy, the new coronavirus epidemic is also upending global democracy and governance. It happened at a time when many nations already faced threats to their democratic systems, and it runs the risk of accelerating democratic regress and authoritarian consolidation. The epidemic has been used by governments to curtail personal freedoms and enlarge executive authority. The coronavirus is likely to alter other tenets of democratic governance, such as elections, civilian command of armed forces, and civic engagement, and it may also change the parameters of the worldwide discussion on the relative benefits of democracy and authoritarianism (Brown, Brechenmacher, and Carothers, 2020). From the beginning of the pandemic, Bangladesh government has been experiencing difficulties to protect human rights related to health and security. Moreover, government faced trouble to maintain democratic values of transparency, inclusivity, and accountability. As a result, community people are negatively impacted by poor public health and governance issues. Some crisis related to the COVID-19 epidemic are discussed below-

Inadequate healthcare service

Bangladesh has been dealing with a variety of health-related issues, including infections and fatalities, since the start of the COVID-19 epidemic. The majority of virus-infected individuals suffered severe respiratory illnesses and recover without the need for special care. However, some individuals experience significant illnesses and need medical care. The elderly and those with underlying medical diseases including cancer, diabetes, cardiovascular disease, or persistent respiratory illnesses are more susceptible to a serious sickness. Anyone, regardless of age, could become extremely ill from COVID-19 or end up dead. Moreover, due to our isolation at home during the lockdown and lack of outdoor activity, the COVID-19 epidemic affects us both physically and mentally. Our physical and emotional health is negatively impacted by the epidemic for this reason. Inadequate healthcare planning, capacity, and resources for the fight against COVID-19 also led to an exceptional calamity in Bangladesh's healthcare system. At the start of the epidemic, a failing healthcare system, inadequate public health communication, a dearth of medical facilities, poor governance, and rising corruption increased the number of victims (Haque, 2020). The healthcare system is also made even more vulnerable and ineffective by a lack of testing labs and kits, a lack of medical professionals, exorbitant coronavirus test costs in private medical institutions, inadequate information flow, and weak communication networks. Rumors were spread primarily due to the absence of trustworthy information sources and the availability of both (Al-Zaman, 2020) (Kollol, 2020). Additionally, the concentration of medical institutions in cities deprives rural communities. Overall, in such circumstances, the COVID-19 pandemic exposes numerous flaws in the healthcare system, including subpar leadership and rising corruption, subpar medical facilities, and inadequate public health communications (Al-Zaman, 2020) (Repon, Pakhe, Quaiyum, Daria and Islam, 2021). In general, throughout the COVID-19 period, the rights of ordinary people to receive appropriate medical care and facilities were infringed.

Economic Crisis

In Bangladesh as well as other nations throughout the world, the COVID-19 epidemic has resulted in catastrophic health and economic devastation. Specifically, during COVID-19, economic uncertainty has grown to be a widespread issue for the broader people. The poor were also affected by hunger and malnutrition at that time. Because economic, social, and cultural human rights are intertwined, common people's rights have greatly suffered under COVID-19 in every way. The major causes of the economic crisis from the start of the pandemic included significantly reducing exports, a contracting service sector, a decline in remittances, and job losses as a result of the closure of numerous factories and businesses. In 2020, 4.8 million employments will be lost as a result of the COVID-19 pandemic, according to a report. Numerous factories have been permanently closed down as a result of the prolonged lockdown (Antara, 2020) (Alam, 2020). The significant impact of COVID-19 during this epidemic was felt throughout a number of economic and financial sectors, particularly the garment industry sector (Antara, 2020).

Small businesses, other commercial organizations, banks, and other financial institutions are also influenced by COVID-19 (Islam, Talukder, Siddiqui, & Islam, 2020).

Social problems

As a result of the pandemic's limits on participating in social activities, public gatherings, events, travel, and holidays, among other basic liberties, such as the right to free movement and the right to assemble, democracy has been undermined. The COVID-19 epidemic significantly hampered the typical way of life of the average person and their interpersonal interactions. It has changed the pattern of interpersonal relationships due to prolonged lockdown, social isolation and quarantine which are to blame for feelings of isolation, psychological anguish, despair, and anxiety (Ferreira, Merçon-Vargas & Midgette, 2022). Furthermore, some individuals engage in suicide behavior as a result of the pain of living alone. Overall, the pandemic has a bad impact on common people's mental health in addition to their physical health. Both children and adults are drawn to using social media and digital devices when they are bored and alone. People of all ages, excluding children, were dependent on online platforms since they provided easy access to the internet.

Education sector's challenges

The pandemic seriously damaged Bangladesh's educational system, and it has only curtailed the right to education by forcing schools and other educational institutions to close, which undermines democracy. To limit the spread of COVID-19, Bangladesh suspended all of its educational institutions after introducing the virus. On March 17, 2020, when Bangladesh had 8 confirmed cases, the government originally shut down all educational institutions for the remainder of March. The Education Ministry announced at the moment that it would close schools until things got better. Generally speaking, educational institutions were shut down for more than a year. The reopening of educational institutions on March 30, 2021, is anticipated to take place in the midst of an increase in cases. On September 12, 2021, elementary, middle, and upper secondary educational institutions reopened. Many academics have studied the impact of school closures on their children and discovered that COVID-19-related school closures have produced gaps in children's education. They discovered that the primary reasons for closing the educational institutions were the expansion of the virus, as well as issues affording educational fees and the price of accessing online schooling, as well as pandemic income decrease and economic losses (Bangladesh Nationwide Survey on COVID-19 impacts).

Centralized power and imprudent human rights

COVID-19 also affected on government and political system of Bangladesh as well as all over the world. Governments throughout the world have gathered emergency powers to respond to the COVID-19 epidemic, violating human rights and democratic procedures at times. The epidemic has an impact on democracy and human rights, affecting everything from media freedom to constitutional checks and balances. Furthermore, COVID-19

diminished the general public's interest in political engagement. On the other side, during the lockdown and emergency, political leaders had a restriction to do their political activity or movement. Besides, general people were deprived to practice their individual rights and freedoms in emergency situations.

Condensed freedom of press

Since the pandemic's start, *freedom* of *expression* in *Bangladesh* stood in crisis. The government has stepped up its pressure on free speech and the press, specifically targeting any journalists, artists, or social activists who have spoken out against it or criticized its approach to the health catastrophe. According to the International Foundation of Journalists, authorities have taken great attempts to restrict the media, detain individuals who speak out, and step-up surveillance on the suspected rumor-spreading around the Covid-19 virus (International Foundation of Journalists).

Policy Measures to revitalize democracy and governance after COVID-19

The following are some ideas for preserving democracy and governance after COVID-19:

Establishing good governance and accountable institutions

During Bangladesh's COVID-19 period, there have been many challenges to maintaining democracy and sound government. Numerous obstacles to democratic administration have been seen, including weak political leadership, a weak civil society, and fraud in the administrative system, a lack of the rule of law, a weak local governance framework, and power disputes between local government organizations and representatives. In order to lessen the consequences of COVID-19 in Bangladesh, there needs to be a proper understanding of the concept of good governance through powerful institutional systems that would offer appropriate direction in making policy decisions. In light of this, institutionalists viewpoints would be helpful in ensuring effective and responsible government at the national and local levels following the pandemic (Alam, 2020) (Vijge, 2013). The government of Bangladesh should take the necessary steps to strengthen institutional and political governance, prioritize improving economic growth, and offer high-quality public services for health, education, and other public needs while reducing corruption and protecting the rights of ordinary citizens.

Introducing the Governance and Institutions Umbrella Program of World Bank

Moreover, Bangladesh's government can enhance democracy and the institution of governance, and accomplish the 2030 SDGs in the post-pandemic period through following the Governance and Institutions Umbrella Program of World Bank. The initiative was established to assist clients from partner nations construct stronger, more effective local and central governments, institutional transformation, boost the application of digital and technological solutions in the public sector, and improve transparency and accountability. The program effectively aids in restructuring government operations to handle issues in all circumstances or times, provides guidelines

to institutions to be competent and responsible, uses technology, reduces opportunities for corruption, and holds accountable to the public through effective formal and informal monitoring (Global Governance Program: World Bank Governance Global Practice).

Efficient leadership and management

COVID-19 poses a threat to Bangladesh and other democratic countries. Governments face a plethora of difficulties as a result of the COVID-19 pandemic. Effective management and leadership are essential for the crisis to be addressed. Through effective leadership and skillful administration by its governing institutions, Bangladesh may be able to control the pandemic's impacts. For the post-pandemic era to recover from the shock of the pandemic and the harm done to democracy and governance, strong leadership and transparent, accountable government services may be needed. Government executives and leaders should prioritize increased interaction with common people to learn about their needs and concerns. This can be done through both direct and indirect engagement. For the wellbeing of the general populace, they should formulate effective policies and put them into practice.

Figure 1: The connection between leadership and management.

Source: Compiled by the Author

Free, fair election and public participation:

During pandemic, common people's democratic rights and governance are eroded with so many rules, regulations and restrictions in many countries. Many governments could not be able to satisfy the needs of people with proper services to all level people. In post pandemic period, all countries should follow the path of democratic governance where government can play key role to bring out back the faith of common people. In this situation election is a key element which can accumulate the common people with their participation. Election modifications may allow for the undermining of democratic rights, the danger to the rule of law, or the abuse of emergency powers for one's own or another's political benefit. On the other hand, there may be chances to improve

enfranchisement, especially for excluded or at-risk populations. Though numerous nations are debating to postpone elections due of the COVID-19 epidemic or alter voting procedures to reduce the risk of transmission (Ellena, 2020). In post pandemic period, Bangladesh needs free and fair election with all people participation that will protect trust of the voters. In the context of Bangladesh, now the free and fair election is the most vibrant element of democracy as the people of Bangladesh can politically participate through election.

Civic engagement in public decision-making

To counteract the consequences of COVID-19 and safeguard democracy and governance in Bangladesh, a strong system of civic engagement in public decision-making is important. Citizens' rights, obligations, and responsibilities will be made clear via civic education, which is something the government should prioritize. If people become conscious, they will also be able to resist all types of corruption and bribery in the society. Thus, the general population will have the opportunity to engage in public affairs and market themselves through community development programs. Additionally, they will be aware of preserving, allocating, and utilizing human resources to offer security in the future (Majanga, 2019). By doing this, they will be able to contribute to the growth of a perfect government that will benefit the whole country.

Effective role of local government

Local governments can play a significant role in helping Bangladesh recover from the COVID-19's impacts and sustain its democratic system of government. It may be significant change agents because they are closest to the people. By protecting local democracy through the preservation of the common good and supplying them to satisfy public demands, local government may play a significant role in changing Bangladeshi society and culture after the epidemic. Local and national leaders should work together to rebuild public confidence on the government since this will support smart community development. The national government should provide the financial resources required for the local authority to perform its obligations. The national government should be prepared to provide crucial services in the fields of health, education, and administrative assistance to all facets of the population with the aid of local government, even if COVID-19's stages have not yet been finished. In the event of a public health emergency, both governments must ensure that they are ready to offer enough medical services and supplies, as well as to supply food and energy products and to maintain public safety. Together, the national and local governments should shape society and safeguard human rights in post-pandemic situations (Ahmed, 2020).

Active role of civil society

Members of civil society have been crucial in the pandemic phase in spreading knowledge of the virus and warning people to disregard erroneous and misleading information and tales about the spread of pandemic. After COVID-19, civil society organizations play a critical role in preserving democracy and government. To shield

people from risky situations, they can exert influence over local governments and authorities. In the wake of a pandemic, civil society might play a critical role in improving and more resilient communities, eliminating urban inequities, and easing the burden on those who are susceptible to future shocks. In addition to helping with pandemic recovery, they can carry out development programs for young people, women, children, the elderly, people with disabilities, and victims of gender-based violence.

USAID's program of Citizen responsive governance

After COVID-19 era, USAID's programs can help increase the capacity of governments to respond to the emergency, as well as build the skills of civil society and media to support increased and transparent communication between governments and citizens, and where appropriate, serve as accountability and watchdog mechanisms. USAID's approach will need to be different in each country based on the political context and the extent of a country's capacity and commitment to democratic governance. The programs help for developing national action plans and policies, including legislation to create the legal framework for effective response to the pandemic; enhancing government communications, accountability, and transparency in health and public social services; supporting government capacity to communicate accurately and effectively with the media; building the capacity of governments to protect their populations through improved governance and the training of frontline officials and law enforcement; building trust in the actions of partner governments, particularly local ones, through bolstered delivery of basic social services, crisis-management, and information-sharing; mobilizing domestic resources to respond to the pandemic; and strengthening public financial management, crisis-response management, and efficient delivery of basic social services to improve public trust. In addition, USAID interventions addressing COVID-19 should also support governments, political actors, civil society, and media to promote and protect democratic principles and rights as crisis responses are developed and implemented.

Conclusion

In order to lessen the consequences of COVID-19 and deal with the pandemic issue, it is concluded in this study that safeguarding democracy and good governance is a major concern. After COVID-19, a solid institutional base, accountability, efficacy, openness, respect for human rights, and civic education are required in order to uphold democracy and good governance. To balance the economy and promote long-term community development, the government of Bangladesh is addressing a number of issues that have arisen because of the outbreak. The coronavirus outbreak has already been somewhat controlled by Bangladeshi government policy actions. However, to achieve a successful COVID-19 reaction after the COVID-19 era, institutional improvements rather than economic recovery should be the government's first priority. The study highlights the importance of the USAID program, the Governance and Institutions Umbrella Program (G&I UP) of the World Bank, the necessity of free and fair elections with sufficient public participation, and the significant roles that local government and civil society to

recover the damaged situation. Furthermore, the author of the study suggests that the government of Bangladesh support the development of more comprehensive crisis management institutions and capacities focused on responding to a wider range of potential shocks by allocating resources, granting authority, and providing incentives to the suitable government actors and agencies (Ahmed, 2020).

References

Ahmed, N. (2020). *Mobilization of Local Resources by Rural Local Government Institutions in Bangladesh.* Mimeo.). Dhaka: BRAC Institute of Governance and Development and BRAC University.

Akanda, A. A. M., & Ahmed, R. (2020). How successful Bangladesh is in controlling the coronavirus pandemic?. *Bulletin of the National Research Centre, 44*, 1-8.

Alam, M. A. (2020). Leading in the shadows: understanding administrative leadership in the context of COVID-19 pandemic management in Bangladesh. *International Journal of Public Leadership, 17*(1), 95-107.

Al-Zaman, M. S. (2020). Healthcare crisis in Bangladesh during the COVID-19 pandemic. *The American journal of tropical medicine and hygiene, 103*(4), 1357.

Antara, I. J. (2020). Phase V: COVID-19 crisis impact on RMG wages and employment and role of trade unions – media tracking report. *BRAC Institute of Governance and Development, BRAC University.* Retrieved From- https://bigd.bracu.ac.bd/publications/phase-v-covid 19-crisis-impact-on-rmg-wages-and-employment-and-role-of-trade-unions-media tracking-report/

Anwar, S., Nasrullah, M., & Hosen, M. J. (2020). COVID-19 and Bangladesh: Challenges and how to address them. *Frontiers in Public Health, 8*. Retrieved From- https://doi.org/10.3389/fpubh.2020.00154

Bentham, D. and Boyle, K. (1995). Introducing Democracy. 80 Questions and Answers. *Polity press.* UNESCO.

Bonotti M, Zech ST (2021). The Human, Economic, Social, and Political Costs of COVID-19. Recovering Civility during COVID-19. 2021 Mar 3:1–36. Retrieved From- DOI: 10.1007/978-981-33-6706-7_1. PMCID: PMC7924095.

Brown, F.Z., Brechenmacher, S., and Carothers, T. (2020). How Will the Coronavirus Reshape Democracy and Governance Globally? *Carnegie Endowment for International Peace.* The report was done by the Council of Europe.

Ellena, K. (2020). IFES COVID-19 Briefing Series: Legal Considerations When Delaying or Adapting Elections. *International Foundations for Electoral Systems.* Retrieved from- https://www.ifes.org/publications/ifes-covid-19-briefing-series-legal-considerations-when-delaying-or-adapting-elections

Ferreira, J.M., Merçon-Vargas, E.A. & Midgette, A.J. (2022). Sociability, Social Isolation, and Social Interaction During the First Months of COVID-19 Pandemic: a Qualitative Analysis of Brazilian, Finnish, and American Adults. *Trends in Psychol.* (2022). https://doi.org/10.1007/s43076-022-00172-9

Haque, A. (2020). The COVID-19 pandemic and the public health challenges in Bangladesh: a commentary. *Journal of Health Research,* Vol. 34 No. 6, pp. 563-567. Retrieved From- https://doi.org/10.1108/JHR-07-2020-0279

International Foundations of Journalists (2021). Bangladesh: Government crackdown on media has increased during pandemic.

Islam K, Ali, S., Akanda, SZR, Rahman S, Kamruzzaman AHM, et al. (2020). CPVID-19 Pandemic and Level of Responses in Bangladesh. Int J Rare Dis Disord 3:019. Retrieved From-Doi.org/10.23937/26434571/1710019

Islam, M., Talukder, A., Siddiqui, M., & Islam, T. (2020). Tackling the COVID-19 pandemic: The Bangladesh perspective. *Journal of Public Health Research*, 9(4), 1794. Retrieved From-https://doi.org/10.4081/jphr.2020.1794

Islam, S. (2020). BB buys US dollars from banks to keep the forex market stable. The Financial Express. Retrieved From- https://thefinancialexpress. com. bd/Economy/Bangladesh/bb-buys-us dollar-from-banks-to-keep-forex-market stable-1583813208

Islam. S. (2020). Banks are fully capable of executing stimulus packages. *The Financial Express*. August 9, 2020.

Jahangir, A. R. (2020). Coronavirus: doctors' mortality rate in Bangladesh 'highest in the world. *United News of Bangladesh (UNB)*.

Kollol, K. (2020). Coronavirus: testing crisis because of lab and kit scarcity. *BBC News Bangla*, June 23 Available at: https://www.bbc.com/bengali/news-53156434. Accessed August 7, 2020. [Google Scholar]

Majanga, K. (2019). Role of civic education in community development. Michael Mushi.

Repon, M. A. U. Pakhe, S. A., Quaiyum, S., Das, R., Daria, S., and Islam, M. R. (2021). Effect of COVID-19 pandemic on mental health among Bangladeshi healthcare professionals: A cross-sectional study. *Science Progress*.

Retrieved from- https://carnegieendowment.org/2020/04/06/how-will-coronavirus-reshape-democracy-and-governance-globally-pub-81470 1/7.

Retrieved From- https://unb.com.bd/category/Special/coronavirus-doctors-mortality-rate-in-bangladesh-highest-in-the-world/53378.

Retrieved From- https://www.academia.edu/38754468/role_of_civic_education_in_community development.

Usaid. (2020). Covid-19: Democracy, Human Rights, And Governance Issues and Potential Usaid Responses April 2020.

Vijge, M. (2013). The Promise of New Institutionalism: Explaining the Absence of a World or United Nations Environment Organisation. *International Environmental Agreements: Politics, Law and Economics* 13 (2): 153-76.

Zhang, L. (2020). Origin and Evolution of the 2019 Novel Coronavirus, *Clinical Infectious Diseases*, Vol. 71, No. 15 (2020): 882–883. 10.1093/cid/ciaa112.

Recent Trends of Bangladesh-India Relations: A Political Analysis

Dr. Md. Riyad Siddiquei[*]
Md. Ikhtiar Uddin Bhuiyan[**]

Abstract

The political landscape of South Asia places a significant emphasis on the connection between Bangladesh and India. Both have a great deal in common, including commonalities in language, culture, history, and more. The two countries' connection goes far beyond a strategic alliance. The purpose of this paper is to provide an analysis of the current interactions that have developed between Bangladesh and India. The widening trade deficit and the ongoing killing of Bangladeshis at the border are other major sources of concern. In 1975, India made the decision to construct the Farakka barrage, which is considered the beginning of the Ganga water dispute. They include India's inability to take effective action on the equitable distribution of international river water, India's partisan posture in the politics of Bangladesh, and India's unwillingness to share fairly and with greater responsibility. This article sheds light on the uneven character of the connections between Bangladesh and India, as well as those between Bangladesh and other third-world countries. In terms of transit arrangements, Bangladesh is given exceptionally favorable pricing. With the signing of an agreement between Bangladesh and India concerning power, Bangladesh will be required to purchase electricity from India at a higher price. This will be the case going forward. It is possible to gain an understanding of the politics of South Asia by first becoming aware of the relationship between India, the most populous country in the region, and the other smaller countries in the region. In this paper, qualitative research method and secondary data have been used to address the research question.

Key Words: Border killing, Common rivers water sharing agreement, Trade deficit, Transit (Corridor), Transshipment.

Introduction

Over the years, various agreements between Bangladesh and India have changed relations. This has led to a tight partnership between the two governments on many matters. Leaders and diplomats call this "the golden period" and the closest since 2008. (Mukherjee, 2017; Dhaka Tribune, 2017; New Age, 2018). Many see hegemonic and uneven power in this increasing relationship. Bilateral dialogues rarely include this perspective. This study presents other viewpoints to test their claims. Indian politics and

[*]   Independent Researcher, E-mail: riyadjugp@gmail.com
[**]   Associate Professor, Department of Government and Politics, Jahangirnagar University, Savar, Dhaka, E-mail: ikhtiar.bhuiyan@juniv.edu

neighborhood policy have exploited this relationship. This article shows this chronologically.

Many believe that pro-Indian and anti-Indian views have dominated Bangladeshi society. The secular traditions of the two countries before the BJP's rise in 2014, historical cultural linkages, and India's role in Bangladesh's freedom are the first perspectives. The latter viewpoint casts doubt on India's position in neighboring nations and views it as a hegemonic power, citing India's role in the Bangladesh War of Independence and these two countries' unresolved concerns. Observational and rational critique are less interpretive than emotional and literary criticism, which is unusual. This applies.

Understanding creates these perspectives. "Perceptions are not simple phenomena to divine; they are profoundly rooted in the historical awareness of each country" (Haksar, 2006) hence they have arisen from Bangladesh-India interactions. Historical insights are based on several chronicles. It is also vital to remember that "an interplay of a complex combination of social, political, economic, and psychological forces" (Kabir, 2015) shapes "other" perspectives. Power asymmetry and closeness affect perception. Bangladesh's intelligence isn't limited to history. This study is not about acumen. Seeing how acumen affects policy is also crucial. This essay succeeds by tracing opposing viewpoints' histories.

Methodology

This study used qualitative research methods, and the conclusions are based on data from secondary sources. I used a variety of sources to learn about the relationship between Bangladesh and India on bilateral issues. These sources included diplomatic documents, reports, and statistics made by the governments of both countries. In addition, sources from the internet, books, journals, research reports, seminar reports, unpublished papers, reviewing reports, and editorials from national or international dailies were used for the study. In order to draw a conclusion from this study, I will state my position as follows: I look into the things that are affecting the relationship between Bangladesh and India, as well as the problems that haven't been solved yet and why they haven't been.

Bilateral Relations: Theoretical Framework

The practice of conducting political, economic, or cultural interactions between two sovereign governments is known as bilateralism. It stands in contrast to unilateralism and multilateralism, both of which refer to activity carried out by a single state or, respectively, jointly by a number of states. As an illustration, instances of bilateral treaties are free trade agreements that have been negotiated by two states. The states that have established bilateral connections will, in order to encourage talks and collaboration, exchange diplomatic agents such as ambassadors. When two states acknowledge one another as sovereign states and agree to have diplomatic ties with one another, it is common practice for those states to exchange diplomatic agents, such as ambassadors, in order to enhance discussion and collaboration on important subjects. In order to evaluate the research issue, this study makes use of the theoretical framework of structural

realism. The theory of structural realism attempts to explain the behavior of states by focusing on the properties of the systems involved. According to Kenneth Waltz, a system may be broken down into two parts: a structure and an interacting unit (Waltz, 2000). According to Waltz, the fact that the international system is not hierarchical but rather anarchic is the second component of its structure. The third one is the fact that the distribution of capabilities throughout the states in the system varies from one system to another and over the course of time. This is something that happens both in the past and in the present. In addition, the talents of the most powerful actors are the most important ones, and the big actors are the ones that determine the structures (Keohane, 1986). An overview of India's objectives with regard to the cultivation of relations with Bangladesh that serve its interests is shown in the following analysis.

New Era of Relationship (2009-2023): A Political Analysis

The Indian Congress and the Bangladesh Awami League have a history of mutually beneficial relationships. The Bangladesh Awami League has the chance to forge new connections and solidify existing ones with the two nations as a result of the 2009 election. Many people think that these hopes are reasonable. In his memoirs, then-President Pranab Mukherjee acknowledged that India had a significant influence on the rise of the Bangladesh Awami League. According to Mukherjee, he acted to secure Sheikh Hasina's release and keep her in politics during the military-backed caretaker government's tenure (2007–2008). He claims that during his journey to New Delhi in 2008, he was successful in persuading the then-Bangladesh army leader Moin U. Ahmed to order the release of all inmates.

In addition, Moin Ahmed was concerned that Sheikh Hasina might fire him following her release. But I took personal responsibility and ensured his general survival following Hasina's return to power. In fact, I chastised certain Awami League officials who deserted her while she was imprisoned for their actions and advised them that it is unethical to leave someone when they are weak (Mukherjee, 2017).

Hasmi (2017) says that Mukherjee's honest portrayal backed up the idea that India has a "big brother mentality" and meddles in "Bangladesh's domestic affairs. "It's interesting to note that Sheikh Hasina made a similar claim when she openly claimed that the U.S. embassy in Dhaka and the Indian intelligence organization RAW were responsible for her loss in the 2001 election (Bdnews24.com, 2017). But a former ambassador who oversaw South Asia as the director general of the foreign ministry from 1989 to 1999 has confirmed her claim (Islam, 2018).

Yet, things got off to a fairly good start in 2009 when Bangladesh gave attention to India's security concerns, destroyed insurgent hideouts, and handed over rebel fighters and terrorists from the region (Rahman, 2016). Sheikh Hasina went to New Delhi on a business trip in January 2010 to sign a lot of agreements. Manmohan Singh, the Indian prime minister, said at the time that India and Bangladesh should get along well. The time has arrived to forge a new course, he declared. We are prepared to pursue a bold,

mutually beneficial vision for our relationships (Dhaka Tribune, 2011). Incomparable levels of cooperation were established between the two nations. As a result, the agreement for connectivity and infrastructure development was inked. Furthermore, contracts were struck allowing India, Nepal, and Bhutan to use the ports in Chittagong and Mongla. Bangladesh received a $1 billion credit line from India in 2010. The Indian market's lowering of tariff barriers for some Bangladeshi goods revealed an unusual friendship. Members of the Indian and Bangladeshi administrations have referred to it as a sign of unbreakable friendship.

At that time, many people thought that India would break its long-standing ties to a single political party. People in Bangladesh ranked India's resolution of bilateral disputes and impartial relationship-building as their top priorities. The people of Bangladesh would not consider it appropriate to view their neighboring nation as a potential danger at that time. Several political parties, research institutions, think tanks, business executives, and representatives of civil society backed the Bangladeshi government's efforts to forge friendly connections (Kabir, 2015). In Bangladeshi elections and politics, the Indian card, which depicts the fatal foe, is employed as a tactic of mobilization. The majority of Bangladeshis are no longer interested in the election results. The decision by India to proceed with the construction of the Tipaimukh dam on the bank river in the Indian state of Manipur, upstream of the Meghna River in Bangladesh, and the proposed Indian Rivers Inter-link project, as well as the unwillingness to address issues such as the LBA, the sharing of waters of common rivers including the Teesta River, and unabated killings on the border by India, caused "the initial burst of optimism to quickly lose momentum" (Kabir to mention a few, guards). For instance, according to Odhikar, a human rights organization, the BSF is responsible for at least 1,133 deaths, 1,054 injuries, and 1,341 abductions of Bangladeshis between 2000 and 2017. (Odhikar, 2018). Yet, according to official data provided by the BGB, the BSF and Indian citizens killed 936 Bangladeshis between 2001 and 2017. (Dhaka Tribune, 2018)

In September 2011, when Indian Prime Minister Manmohan Singh went to Dhaka, it set off a "tsunami of hopes." (Rahman, 2016). The visit is anticipated to be historic, with the signing of two agreements. The Teesta River Water Cooperation Agreement and the use of Bangladeshi land to grant India access to the northeastern states are the two agreements. Nevertheless, the water distribution deal was not signed because of a last-minute decision made by the Indian government under pressure from the Chief Minister of West Bengal. Bangladesh was consequently forced to put off signing the transit deal. At the contentious border, several MoUs[1] on economic cooperation and a protocol regarding enclaves were inked. The visit, however, fell short of expectations for a valid reason. India's reluctance to regard Bangladesh as an equal adds to this view. Due to BJP opposition in parliament, the UPA[2] government was unable to carry out the land swap

---

[1] Memorandum of Understanding.
[2] The United Progressive Alliance.

protocol that Prime Minister Singh signed. It was perceived as a rerun of the LBA[3] and 1974 in Bangladesh. The much-anticipated "New Way" never materialized.

Yet, there is a general consensus among the populace that collaboration between India and Bangladesh is essential for the area as a whole as well as for the interests of both nations. Both nations can experience significant economic growth through respectful cooperation. The then leader of opposition, Khaleda Zia, visited New Delhi in November 2012. Her conversation would be open-minded, and the hurt and resentment from the past would be removed. In her words, "continuous and open communication and conversations for [...] mutual interest and profit should constitute part of the very core of [the] partnership. Respect for each other's independence and sovereignty must be universal at the same time (Zia, 2012). Her itinerary's inclusion of New Delhi seemed encouraging. In March 2013, President Pranab Mukherjee traveled to Dhaka. A Bangladesh Jamaat-e-Islami member issued a general strike call at that time. The opposition leader unexpectedly called off a meeting, claiming security concerns. The move is a scathing blow to the Indian establishment.

Bangladesh's national elections were held in 2014. The global community demands inclusive elections. This is viewed as illegal intervention in India. The opposition parties were not invited to vote. Many believe that the neighboring nation's support of the Awami League as a result of this vote is wholly unethical. Early in December 2013, Sujatha Singh, the foreign minister of India, visited Bangladesh. She spoke with General H. M. Ershad, the JP leader, and encouraged him to vote (Riaz, 2014). Despite attempts by the Indian media to explain the choice to support BAL as a result of anger at the BNP's[4] antagonistic stance against India (The Indian Express, 2014). The actions of India were dictated by the anticipated security threat that could result from an opposition triumph. Bangladesh was not seen by India at the time as having a long-standing cordial relationship. Within the greater regional and international framework, only one nation had ties with another. This can put the mutual understanding between the two nations in danger. In the most violent election in Bangladeshi history, India's intervention enabled the Bangladesh Awami League to win an uncontested election. Many believe that Bangladesh's internal politics are manifestly biased towards other nations. Due to this episode, Bangladeshi citizens now have a tempered opinion of India and will likely hold that opinion going forward. Nonetheless, India gained immediately from this choice. Worldly problems are a significant factor in the emergence of such anti-Indian sentiments. A discussion on social media was generated by a few images that were published on the Indian High Commission's website. When former president Pranab Mukherjee visited in January 2018, this took place. Mr. Mukherjee is pictured in the images sitting on a chair following a reception. General Ershad, a past president of Bangladesh, existed. Similar images of other Bangladeshi ministers, thinkers, and political figures were also displayed. It was compared by many to an insult to dignitaries

---

[3] Land Boundary Agreement.
[4] Bangladesh Nationalist Party

from Bangladesh. The popularity of these images demonstrates the unequal ties between the two nations. The High Commission decided to remove these images after they gained widespread traction (Rabbee, 2018).

Several viewpoints took hold in the wake of the BJP's electoral victory in 2014. Based on predictions, there were also diverse reactions within Bangladesh. Concerns have been aroused by the BJP's long-standing anti-Muslim discourse. Concerns have been expressed about the deportation of Bangladeshi immigrants as promised by the BJP prior to the election. The BNP had hoped that a non-Congress government in India would approach Bangladeshi politics in the manner it had in the past. At the state level, INC[5] and BAL[6] have had a close relationship for a very long time. Yet, the current government of India eventually expressed delight after the change of government first caused uncertainty and pushed India toward China. The "neighborhood first" strategy of Narendra Modi brought optimism to both BAL and BNP. Three factors—the need for stability in the Northeastern states, resolving tense interactions with its neighbors, and containing China's expanding influence in south Asia—apparently drove the approach (Riaz, 2016). Bangladesh was certain to draw attention to the new approach. In 2015, Modi traveled to Bangladesh, where he was warmly welcomed. Although the BNP's claim that it "never pursued anti-Indian politics in the past" (Bdnews24.com, 2015) may not have been true, the organization's promise that it "won't do in the future" was a step in the right direction. According to some, this was the first time in the history of bilateral relations that both of the major political parties in Bangladesh showed an unparalleled eagerness to win over New Delhi (Rahman, 2016).

Modi stated, "While people thought we were just near (paas-paas) to each other, now the world would have to acknowledge that we are not just paas-paas but also saath-saath (together)" in addition to signing 22 agreements, including the LBA, creating a Special Economic Zone inside Bangladesh for Indian companies, making Indian investments in the energy sector, and offering a credit line of $2 billion (The Hindu, 2015). Although in reality transit facilities started in 2012 when Bangladesh permitted India's Oil and Natural Gas Corporation to ferry heavy machinery, turbines, and cargo through Ashuganj for the Palatana Power Project in southern Tripura, the long-standing issue of providing transit to the northeastern states of India, which was opposed by the BNP for decades (Pattanaik 2010,) was formalized. The main issue for the people of Bangladesh was that the Teesta water sharing deal was not finished. The trade deficit and the killing of Bangladeshis at the border were two more major issues. Business sectors and government allies hailed the move toward cooperation. Some Bangladeshis expressed unease and criticism based on the claim that India did not respond. An Indian analyst acknowledged that the promise and the execution did not match (Malhotra, 2011).

---

[5] Indian National Congress
[6] Bangladesh Awami League

They saw Modi's high-profile visit as unique from their perspective. That is seen as an illustration of their debatable vision and logic. The objective, according to a former diplomat, "if it was to try to win the hearts and minds of a people and government, with whom India's relationship has been plagued with bitter-sweet complexity, has worked" (Live Mint, 2015). Particularly in the pro-government media, many people express this sentiment. It is hoped that border killings will completely stop, Bangladesh's trade deficit will be drastically reduced, and the sharing of waters on all common rivers will become a reality. Even those who praised both Prime Ministers for their visions of "a new pathway of progress and prosperity to eliminate poverty" expressed tacit frustration (Rashid, 2015). Another observer questioned whether or not India had achieved its strategic goal in light of the agreements and MOUs, which specifically guaranteed India's use of two Bangladeshi ports. (Khan, 2015).

Analysts have emphasized the significance of connectivity, which they have described as "a euphemism for transit and transshipment," but have also recalled that "if Bangladesh is India-locked, it cannot be lost upon India that the Indian northeast is Bangladesh-locked," so it is India's security interest rather than Bangladesh's benefit that is driving the deal more than Bangladesh's benefit (Khan, 2015).Bangladeshis are also aware that India needs Bangladesh just as much as the latter does because the "Bangladesh corridor is essential to India's Act East policy" (Kathuria, 2017).

Economic Cooperation Between Bangladesh and India

Bangladesh is considered the biggest trading partner of India in the subcontinent. Bangladesh has a strong economic tie with India since the very beginning of the independence. Different types of bilateral agreement made the business smoother and more effective though the trade deficit between two countries is increasing day to day. At this time, Bangladesh is also India's most important development partner. The progression of Indo-Bangladesh bilateral relations demonstrates how the two countries have reaped benefits from their relationship with one another. In the realm of international trade, India and Bangladesh have reached an agreement to launch the Comprehensive Economic Partnership Agreement (CEPA) at an earlier than anticipated date. It is anticipated that Bangladesh's amicable connections with India would gain strength in the year 2023. CEPA would provide a solid foundation for significantly increasing the amount of trade and commercial relationships between the two nations. Additionally, it would lead to the creation of new jobs, an improvement in living standards, and expanded opportunities in India and Bangladesh's social and economic sectors.
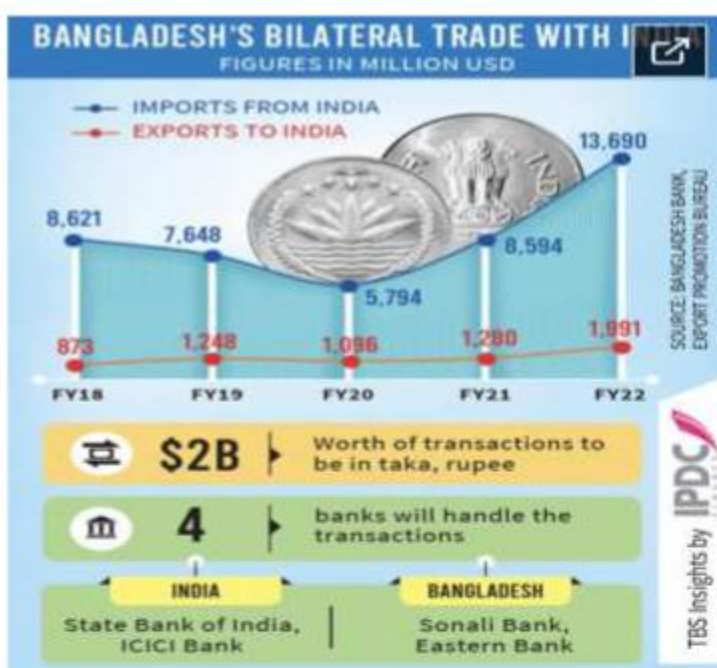
Source: Bangladesh Bank, 2023

With $873 million in exports versus $8,621 million in imports in 2018 and $1,991 million in exports versus $13,690 million in imports in 2022, respectively, the pattern between those two years indicates an increase in the deficit rather than a decrease.

The economic interests of India are progressively supplanting those of Bangladesh. Bangladesh's objectives include its own security, geostrategic goals, and economic prosperity. Both professional judgment and public sentiment touch on this. For instance, the current power import agreements with India, the power corridor to India, and the Indian companies' large-scale investments in Bangladesh's energy sector have prompted the question of whether an overt reliance on Indian electricity could be dangerous for Bangladesh's strategic interests (Amin, 2014). This impression is further strengthened by the 1,320 MW Rampal coal-based power plant being built by an Indian energy company in spite of opposition from experts from both nations and UNESCO[7] due to potential negative effects on the Sundarbans, the largest mangrove forest in the world and a world heritage site (New Age, 2017). Many people worry that growing trade between the two nations will lead to uneven development. Bangladesh has amassed the largest trade deficit relative to other nations thanks to this type of trading. With $512 million in exports versus $4.56 billion in imports in 2010–2011 and $689 million in exports versus $5.45 billion in imports in 2015–2016, respectively, the pattern between those two years indicates an increase in the deficit rather than a decrease (DCCI, 2018). A significant

---

[7] United Nations Educational, Scientific and Cultural Organization.

trade obstacle continues to be non-tariff barriers. Despite the fact that India provided zero duty access and removed 46 textile products from the list of sensitive categories in 2011, the 12.5% countervailing duty imposed has had a significant impact on growth. It took place in 2012.

Many individuals believe that Bangladesh is not always supportive of India and Bangladesh's foreign policies. Bangladesh opted not to participate in the SAARC[8] summit in Islamabad in 2016, claiming Pakistan's meddling in Bangladesh's internal affairs. Many people perceived India's decision to boycott as a sign of its sluggishness. That appears to represent a much more dependent relationship, according to one analyst:

The relationship between Dhaka and Delhi has gradually changed under the leadership of the current Bangladeshi administration from one of two supposedly sovereign and equal nations to one of clientage and vassalage akin to the previous communist countries of the Eastern Bloc and the erstwhile USSR (Sohail, 2016).

This assertion betrays an underlying understanding of an unequal relationship. The defense accord was struck in 2017 while Sheikh Hasina was in New Delhi. Discomfort has been felt throughout discussions of this defense treaty. The defense contract was signed against Sheikh Hasina's opposition. And she received numerous suggestions to wait. According to a former Bangladeshi diplomat (Hussain, 2017), "Bangladesh does not need a defense pact with India, or for that matter, with any other country, because it does not face any threat of external aggression from any of its neighbors." However, according to another analyst, "a military alliance with India, in particular, in the context of the current geopolitical alignment would be a disaster and carry the potential of Bangladesh becoming a victim of 'crossfire' in the current conflict (Mahmoud, 2017). There have been rumors that the defense agreement is being made with India in mind (Khan, 2017). Others expressed concern that it might fuel anti-Indian prejudice (Bdmilitary.com, 2017).

India's readiness to sign limited-scope defense agreements serves their security-minded worldview. Many people think that this is a reaction to the improving ties between Bangladesh and China. The main source of military equipment for Bangladesh is a result of these cordial ties. During his high-profile visit in October 2016, Chinese President Xi PengHua signed 27 agreements totaling $25 billion. This is typically done to indicate the company's involvement in South Asia, notably Bangladesh. In 2016, China shipped two submarines to Bangladesh. Bangladesh also ratified the One Belt, One Road initiative. They seem to have given rise to certain worries, which is what prompted Sheikh Hasina to say that "India need not worry about Bangladesh-China ties" (The Economic Times, 2018). Resentment has occasionally been sparked among Bangladeshis by India's rhetoric and pressure on their people. A case in point is General Bipin Rawat's assertion that "the influx from Bangladesh is a proxy war by Pakistan with the support of China" (NDTV, 2018). The Bangladeshi government's choice to withhold any public response simply served to reinforce the idea that it is powerless to oppose India's regime (Mahmud, 2018).

---

[8] South Asian Association for regional cooperation.

Some of the problems that worry and annoy intelligent citizens are not simple or unimportant. In addition to this, there are other concerns that influence how the citizens of the two nations feel. The Rohingya problem is currently a hotly debated subject. India "had washed its hands of the problem and taken the side of the Myanmarese government" as Bangladesh faced the challenge of hosting 700,000 new refugees starting in August 2017 as a result of the ethnic cleansing in Arakan by the Myanmar Army (Indian National Congress 2018). The public's response was anger and irritation, despite the ruling party leaders' efforts to demonstrate that there is no split between these two countries and that India supports Bangladesh (Mitra, 2017). That has helped to reinforce the idea that Bangladesh has given back more than it has gained from India (Kabir, 2015). A draft deal allowing India to use Bangladesh's Chittagong and Mongla sea ports to ship products to its northeastern states was accepted by the Bangladeshi cabinet in September 2018.

India and Bangladesh have signed a memorandum of understanding. India is able to collect 1.82 cubic feet of water per second (cusec) from the Feni River through this. Seven bilateral agreements were signed concurrently by these two nations. At the secretary-level meeting in Dhaka, Bangladesh reiterated its pledge in August 2019. The agreement was subsequently signed on October 5 during the summit in Delhi. On March 9, 2021, the two prime ministers of the two nations held a virtual ceremony to officially open the Maitrisetu (friendship bridge) at Feni. Via this bridge, Bangladesh and Tripura are joined. Among the 33 million candidates in the state, the NRC (National Register of Citizens) determined that 1.9 million were ineligible for Indian citizenship. That has a detrimental effect on how Bangladeshis are viewed. Despite challenges connected to COVID-19, bilateral trade between the two nations increased at an unprecedented rate of around 44%, from 2020-21to 2021–22.

On the invitation of Indian Prime Minister Narendra Modi, Prime Minister Sheikh Hasina traveled to India from September 5–8, 2022. Following a bilateral meeting at Hyderabad House in New Delhi on September 6, 2022, seven Memorandums of Understanding (MoU) were signed. One such example is the 1. Agreement on the withdrawal of 153 cubic feet of water to Bangladesh from the Kushiyara River. 2. An agreement on scientific cooperation between the Bangladesh Council of Science and Industrial Research (BCSIR) and the Council of Science and Industrial Research (CSIR) of India 3. Accord between the National Judicial Academy in Bhopal and the Supreme Court of Bangladesh, 4. Memorandum of Understanding for Bangladesh Railway Personnel Training at Indian Railway Training Institutes, 5. Bangladesh Railway's collaboration in information technology 6. The agreement between Bangladesh Television and Prasar Bharati, the national broadcaster of India 7. Agreement on collaboration in the area of space technology Around the middle of February 2023, Indian Foreign Secretary Vinay Mohan Kwatra traveled to Bangladesh. Under the request of the Indian Prime Minister, the Foreign Secretary of India traveled to Bangladesh to ensure that the country's prime minister will attend the G-20's "voice of the south summit" conference in 2023.

Joint River Commission records show that the Padma's water flow at Hardinge bridge point during the first ten days of January 2023 (the present year) was 85316 cusecs. The water flow at that site, last year at this time, was 111000 cusecs. The Joint River Commission website states that in the second ten days of January, the water flow at Hardinge Bridge point was measured at 70827 cusecs. More than 100000cusecs of water were flowing at the same location last year.

Conclusion

The strong bilateral ties are reflective of a comprehensive partnership that extends well beyond that of a strategic alliance and is founded on sovereignty, equality, trust, and mutual comprehension. India and Bangladesh are close strategic partners in counter-terrorism. Traditional areas of collaboration between the two countries include tourism, health, and education; more cutting-edge technologies include nuclear partnership, pact, and information technology; and all of these areas are included in the multi-dimensional cooperation between the two nations. The continuous murdering of Bangladeshi individuals at the border by Indian border guards, aiding illegal immigration, assisting in armed dacoity, helping in counterfeits money transfers, and illegal drug trafficking are the most significant concerns that exist between Bangladesh and India.

Using the lens of a critical analysis of the connection that exists between these two nations, it elucidates the primary points of contention. In general, people living in Bangladesh desire to have positive relations with India because it is a nearby country. More cooperation between the two countries is something that Bangladesh is willing to tolerate for the sake of prosperity. According to a survey conducted by Pew in 2014, seventy percent of Bangladeshis have a positive impression of India, while only twenty-seven percent see India as a threat (Pew Research Center, 2014). After 2008, there was a gradual drop in anti-India sentiment in domestic politics. This is not a characteristic of Bangladeshi politics, despite the fact that it is fragile and that there are historical and religious conflicts in the country. The perception of this antagonistic relationship is influenced, among other things, by the policies and acts of Indian government officials.

Several studies have come to the conclusion that "India... is frequently regarded as domineering in the region" (Chandra, 2015). This is mostly due to the fact that it takes a security-focused strategy, which is a direct consequence of its "under attack from neighbors' mentality" (Pattanaik, 2010). When talking about India, the concept of Bangladeshis is believed to be in the same category as everyone else. In its approach to its surrounding regions, India must demonstrate sound judgment. When one considers recent happenings, it is simple to comprehend that the existence of China has resulted in a schism between India and the countries that surround it. Some people are making the argument that India's diplomacy based on the principle of "neighborhood first" is not a viable strategy. The Congress has asserted that the "neighborhood-first" policy has now become the "neighborhood-lost" policy, and they have also stated that India is an isolated and mistrustful next-door neighbor. Both of these statements were made by the Congress.

Despite the fact that regionalism is what it is, we may still determine the reasons why some Bangladeshis have negative views regarding particular topics. These are India's lack of effective action on international river water sharing, India's partisan posture in Bangladeshi politics, and India's reluctance to share equitably with more responsibility. All three of these issues are the responsibility of India. Recent events have shown a connection between India's perspectives and the strategy taken by the government of Bangladesh. The fact that India's ruling party, which enjoys unrestricted support in the country, is moving in an increasingly authoritarian direction has had an effect on how people view the country. It is now common knowledge that "the ruling BAL government has assiduously subverted democratic norms and institutions" (Chakravarty, 2018). Additionally, it has taken India's support for granted, which is not in the best interests of India (Chakravarty, 2018), thereby adding to the factors that contribute to the negative aspects of the Indo-Bangladesh relationship. The number of Bangladeshi civilians who have been killed at the India–Bangladesh border has climbed threefold to forty-one in 2019, despite the fact that the Indian authorities have repeatedly promised that this will not occur (Javed, 2020). 158 Bangladeshis have lost their lives at the hands of the Border Security Force over the course of the last five years. Bangladesh has not imposed any customs taxes or transit fees on India for allowing the passage of Indian products via Bangladesh or for allowing the transshipment of Indian goods via Bangladeshi seaports (Chaudhury, 2019). Delhi has been given permission by Bangladesh to install a coastline surveillance system in Bangladesh that makes use of radar in the Bay of Bengal (Chaudhury, 2019). Nonetheless, Bangladeshis are pessimistic about the future as a result of India's backing for Myanmar during the Rohingya issue. Both the National Registry of Citizens (NRC) and the Citizenship Amendment Act have already had an impact on the relationship that exists between the two countries.

References

Amin, Z. (2014). The India-Bangladesh Power Trap. *The Diplomat*, April 27, 2014. https://thediplomat.com/2014/04/the-india-bangladesh-powertrap/, accesses May 7, 2018.

Bdmilitary.com. (2017). Defense Pact with India Detrimental for Bangladesh. March 28, 2017. http://www.bdmilitary.com/bdmilitary-blog/defence-pact-india-detrimental-bangladesh/, accessed May 6, 2018.

Bdnews24.com. (2017). Hasina Blames India, US Collusion for Awami League's Defeat 2001 Polls. March 11, 2017. http://m.bdnews24.com/en/detail/ Bangladesh /1301455, accessed February 13, 2018.

Chakravarty, P. R. (2018). Shadow of India, Hasina Government's Corruption, Repression of BNP Looms Over Bangladesh Polls. ORF Commentary, September 09, 2018. https://www.orfonline.org/research/43844-shadow-of-india-hasina-governments-corruption-repression-of-bnp-looms-over- Bangladesh-polls/.

Chandra, V. (2015). Introduction. In India and South Asia: Exploring Regional Perceptions, edited by V. Chandra. *New Delhi Institute of Defense Studies*.

Chaudhury, Dipanjan Roy, (2019a). Bangladesh to allow transshipment of Indian goods from January sans custom duties, transit fees. *The Economic Times*, 19 December 2019. https://economictimes.indiatimes.com/news/economy/foreign-trade/bangladesh-to-allow-transhipment-of-indian-goods-

from-january-sans-custom-duties-transitfees/articleshow/72882058.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst.

Chaudhury, Dipanjan Roy, (2019b). India, Bangladesh sign MoU for setting up a coastal surveillance system radar in Bangladesh, *The Economic Times,* 7 October 2019. https://economictimes.indiatimes.com/news/defence/india-bangladesh-sign-mou-to-set-up-a-coastal-surveillance-system-radar-in-bangladesh/articleshow/71457316.cms?utm_source=contentofinterest&utm_medium=text&utm_csmpaign=cppst.

DCCI (Dhaka Chamber of Commerce and Industries), (2018). Bangladesh-India Bilateral Trade Statistics. http://www.dhakachamber.com/Bilateral/IndiaBangladesh%20 Bilateral%20 Trade%20statistics.pdf, accessed May 7, 2018.

Dhaka Tribune. (2011). India Extends $1b Credit Line, Vows No Tipaimukh Harm. January 11. 2011. https://bdnews24.com/bangladesh/2010/01/11/india- extends-1b-credit-line-vows-no-tipaimukh-harm, accessed March 24, 2008.

Dhaka Tribune. (2017). Indian High Commissioner: It Is the Golden Age of Bangladesh- India Relations. July 19, 2017. https://www.dhakatribune.com/bangladesh/ foreign-affairs/2017/07/19/indian-high-commissioner-golden-age-bangladesh-india-relations/, accessed February 12, 2018.

Dhaka Tribune. (2018). Why Border Killing Has Not Stopped. January 06, 2018. https://www.dhakatribune.com/bangladesh/2017/12/27/border-killing-not-stopped/, accessed May 6, 2018

Haksar, P. N. (2006). Perception and Reality in the Making of Foreign Policy. *Mainstream Weekly* XL IV (49), November 25, 2006. https://www.mainstreamweekly.net/article56.html.

Hashmi, T. (2017). Pranab Mukherjee Tells It All!" SouthasianMonitor.com, November 04, 2017. http://southasianmonitor.com/2017/11/04/pranab-mukherjee-tells/, accessed November 14, 2017.

http://www.pewglobal.org/2014/07/14/chapter-4-how-asians-view-each-other/, accessed May 8, 2018.

https://thewire.in/diplomacy/bangladesh-rohingya-crisis-myanmar-india, accessed March 21, 2018.

Hussain, M. (2017). Many in Bangladesh Oppose Proposed Defense Pact with India. *VOA*, April 06, 2017. https://www.voanews.com/a/many-bangladesh-oppose-proposed-defense-pact-india/3800157.html, accessed May 6, 2018.

Indian National Congress. (2018). Neighborhood Lost? https://inc.in/key-issues/neighbourhood-lost, accessed May 6, 2018.

Islam, M.S. (2018). Is AL and New Delhi Distancing from Each Other? *New Age*, March 18, 2018. http://www.newagebd.net/article/36968/is-al-and-new-delhi-distancing-from-each-other, accessed February 14, 2018.

Javed, Hasan Al. (2020). Threefold rise in border killing in 2019. *Dhaka Tribune.* 2 January 2020. https://archive.dhakatribune.com/bangladesh/2020/01/03/threefold-rise-in-border-killing-in-2019.

Kabir, H. (2015). Changing Relations Between Bangladesh and India: Perception in Bangladesh. In India and South Asia: Exploring Regional Perceptions, edited by V. Chandra. *New Delhi: IDSA and Pentagon Press.*

Kathuria, S. (2017). Bangladesh Corridor Vital to India's 'Act East' Policy. *The World Bank blog,* September 28, 2017. http://blogs.worldbank.org/ endpovertyinsouthasia/bangladesh-corridor-vital-india-s-act-east-policy, accessed January 15, 2018.

Keohane, R. O. (1986). Theory of World Politics: Structural Realism and Beyond, In Neo realism and its critics (pp, 158-203). *New York: Columbia University Press.*

Khan, S. A. (2015). India Has Achieved Its Strategic Aim-Have We? The Daily Star, June 09, 2015. http://www.thedailystar.net/op-ed/politics/india-has-achieved-its-strategic-aim-%E2%80%93-have-we-94093, accessed March 12. 2018

Khan, S.A. (2017). Bangladesh-India Defense Cooperation. *The Daily Star*, March 16, 2017. https://www.thedailystar.net/opinion/strategically-speaking/bangladesh-india-defence-cooperation-1376479, accessed May 6, 2018.

Live Mint. (2015). Iftekhar Ahmed Chowdhury: Impact of Geopolitics and Diplomacy. June 12, 2015. https://www.livemint.com/Politics/FNek1Si0M11STpZxumpd1O/Iftekhar-Ahmed-Chowdhury-Impact-of-with geopolitics-and-diploma.html, accessed March 11, 2018.

Mahmoud, K. B. M. (2017). No Military Pact with India. *New Age*, April 5, 2017. http://www.newagebd.net/article/12760/no-military-pact-with-india, accessed May 6, 2018.

Mahmud, F. (2018). In Bangladesh, Indian Army Chief's Statement Triggers Concern, Bafflement. *The Wire*, March 8, 2018. https://thewire.in/diplomacy/bangladesh-unsure-of-seeking-clarification-on-indian-army-chiefs-statement, accessed March 9, 2018.

Malhotra, J. (2011). Where Did India Bangladesh Talks Go Wrong. *Wall Street Journal*, September 14, 2011. https://blogs.wsj.com/indiarealtime/2011/09/14/politics-journal-where-did-india-bangladesh-talks-go-wrong/, accessed March 19, 2018.

Mitra, D. (2017). Exclusive Public Anger Brews in Bangladesh Over India's Stance on Rohingya Crisis. *The Wire*, September 10, 2017.

Mukherjee, P. (2017). Bangladesh Is India's Closest Friend. *Dhaka Tribune*, July 8, 2017. https://www.dhakatribune.com/bangladesh/foreign-affairs/2017/07/08/pranab-mukherjee-bangladesh-indias-closest-friend/, accessed March 6, 2018.

NDTV. (2018). Influx from Bangladesh Is Proxy War by Pakistan with China Help: Army Chief. February 22, 2018. https://www.ndtv.com/india-news/ pakistan-behind-planned-influx-from-bangladesh-into-northeast-says-army-chief-1815546, accessed March 10, 2018.

New Age. (2017). Adverse Impact of Rampal Power Plant Inevitable: Experts. April 9, 2017. http://www.newagebd.net/article/13076/index.php, accessed January 15, 2018.

New Age. (2018). Bangladesh-India Relations Reach Rare Height: Tofail. April 9, 2018. http://www.newagebd.net/article/13085/bangladesh-india-relations-reach-rare-height-tofail, accessed April 18, 2018.

Odhikar. (2018). Atrocities by Indian Border Security Force (BSF) against Bangladeshi Citizens. http://odhikar.org/wp-content/uploads/2018/01/ Statistics-Border-2000-2017.pdf, accessed May 6, 2018.

Pattanaik, S. S. (2010). India's Neighborhood Policy: Perceptions from Bangladesh. *Strategic Analysis* 35(1): 71-87.

Pew Research Center. (2014). How Asians View Each Other. July 14, 2014.

Rabbee, S. (2018). Taking the Recent Photo Controversy Seriously. *Dhaka Tribune*, January 20, 2018. https://www.dhakatribune.com/opinion/2018/01/20/taking-recent-photo-controversy-seriously, accessed March 5, 2018.

Rahman, M. S. (2016). Bangladesh and Its Neighbors. In Routledge Handbook of *Contemporary Bangladesh*, edited by A. Riaz and M. S. Rahman, London: Routledge.

Rashid, Bar. H. U. (2015). Modi's Visit to Bangladesh, Unresolved Issues. *The Daily Star*, June 10, 2015. http://www.thedailystar.net/op-ed/politics/unresolved- issues-94609, accessed March 11, 2018.

Riaz, A. (2016). Modi's South Asia Reset. In Modi and the World: The Ring View Inside Out, edited by Y. Chowdhury and A. D. Chowdhury. New Delhi/ London, Bloomsbury.

Riaz, A. (2014). A Crisis of Democracy in Bangladesh. *Current History* 113(762), 150-156.

Sohail, E. (2016). Bangladesh Just Became a Vassal State. *The Diplomat*, October 4, 2016. https://thediplomat.com/2016/10/bangladesh-just-became-a-vassal- state/, accessed February 12, 2018.

The Economic Times. (2018). India Need Not Worry About Bangladesh-China Ties: Sheikh Hasina. February 23, 2018. https://economictimes.indiatimes.com/ news/politics-and-nation/india-need-not-worry-about-bangladesh-china-ties-sheikh-hasina/articleshow/63037906.cms, accessed March 17, 2018.

The Hindu, (2015). India, Bangla Not Just 'Pass-Pass' But also 'Saath-Saath': PM Modi. June 7, 2015. https://www.thehindu.com/news/national/prime-minister-narendra-modis-twoday-bangladesh-visit/article 7291800.ece.

The Indian Express. (2014). For 2 Years, India Knocked on Khaleda Door but Returned Disappointed. January 8, 2014. http://indianexpress.com/article/india/india-others/for-2-yrs-india-knocked-on-khaleda-door-but-returned- disappointed/, accessed May 5, 2018.

Waltz, K. N. (2000). Structural Realism after the Cold War. *International Security*, 25, 5-41.

Zia, B. K. (2012), Bangladesh-India Relations, Challenges and Prospects. *Strategic Analysis* 36(5), 720-722.

An Evaluation of Tax Policy in Bangladesh:
Perspective from Different Professionals

Dr. Md Taufiqul Islam[*]
Dr. B M Sajjad Hossain[**]

Abstract

The purpose of this paper is to increase public awareness about the tax policy in Bangladesh. The study provides some policy level guidelines for tax system in Bangladesh. As Bangladesh earns less tax revenue than other neighboring countries as well as the global average level, it would enhance the government's capabilities for more development and meet governmental expenditures in an appropriate way. The study used both primary and secondary data. Primary data is collected through survey techniques using structured open-ended and close-ended questionnaires. A total of 160 respondents were selected randomly from different professional groups under two major categories (tax-payers and non-tax-payers) which are important to be considered for future policy reformation in the field of income tax system including collection and utilization of the source. As a greater public policy concern, this research contributes to the academia and policy-makers for future study or policy formulation purposes with an indirect aim of the overall socio-political and economic development of the nation.

Introduction

Taxes are one of the major sources of government revenue that is generally levied on income-generating activity, holding of property, and during the point of sale or purchasing of a commodity (OECD, 2014). It is a compulsory levy for the transfer of resources from the private to the public sector based on predetermined criteria and conditions without having any specific commitment in return, except for common national development. This is the system of an organized modern civil society (Thuronyi, 1996). Tax is calculated based on an income year. It is an internal revenue that is collected through two segments a) direct tax (i.e. income tax) and b) indirect tax (ie. Value Added Tax or VAT, Customs Duties, etc.).

The total number of taxpayers in Bangladesh is very negligible though it has increased in recent years. Due to the lack of proper tax management and citizens' willingness, it is indeed a very inconvenient task to collect taxes from taxpayers in Bangladesh. (Rahman, 2007) As an agri-based nation, Bangladesh inherited a weak economic infrastructure

[*] Professor, Department of Social Science, American International University-Bangladesh, Khilkhet, Dhaka-1229, Email: taufiqul2009@gmail.com

[**] Assistant Professor, Department of Social Science, American International University-Bangladesh, Khilkhet, Dhaka-1229, Email: bmsajjad@gmail.com

from the ancient period (Husain, 1997). The basic characteristics of the economy consist of slow growth in production, saving, capital formulation, and capital investments (Rahman, 2007).

Obviously, modern governments use taxes as one of the major sources of revenue collection to cover up their expenses. Economists including Seligman, Adam Smith, Bastable, Taussig, and Dalton hold the unanimous opinion that tax is a compulsory payment to the government by taxpayers or citizens without any expected returns, rather the state provides general services to its citizens only (Shil et al., 2017). That means tax is a compulsory contribution by the taxpayers (categorized citizens) to the government.

According to Article 152 (1) of the Constitution of Bangladesh, taxation includes the imposition of any tax, rate, duty, etc. (Government of Bangladesh, 1984). The present income tax law came into a new shape after passing three eras from 1947. However, the base of income tax in this South Asian zone originated in 1886 after the introduction of the Indian Income Tax Act (Rahman, 2007). The income tax rate is based on a range of income with a few exceptions, as such- for disabled persons, senior citizens, transgender, and female earners (BIDA, 2021).

The Income Tax Ordinance was introduced in Bangladesh for the first time in the year of 1984 (Government of Bangladesh, 1984). Later on, a separate authority called Income Tax Department (ITD) was established in the year of 1992, having an expansion in 2001. It runs under different zones with two major motives, i.e. a) tax collection and b) audit. Besides, to train the related government employees, a training center known as 'Tax Academy' and more formally 'BCS Tax Academy Bangladesh' is established in Dhaka (Sarker, 2003).

Since 1984 income tax collection has never reached as of forecasted level by the Bangladesh government. Though there is a huge amount of high-income residents in Bangladesh, there are very few regular taxpayers. The point to be noted is that the tax rate of a person depends on his/her residential status and income level and the amount of taxes collected yearly is not sufficient enough for the growth in production, saving, capital formulation, and capital investments for this nation.

In economics, there is a positive relationship between tax collection and economic growth. However, the main source of revenue for the Government of Bangladesh is also tax. Socioeconomic and infrastructure development is highly dependent on the tax. As the government could not collect the taxes properly, the economy, infrastructure, and overall development are getting hampered. Taxation principles argued that paying tax is not a penalty to the citizens; it's a willful contribution to the overall development of the country. By paying taxes, a citizen cannot claim any benefit from them but the benefit of the taxes will be provided as commonly as the citizen facilities, such as roads, bridges, public infrastructure constructions, poverty reduction, employment, etc.

Although there is moderate industrial and cultural development in Bangladesh as it is a developing country, there is very insignificant infrastructure development even after

having huge unemployment (5.3 percent), and a population below the poverty line 24.3 percent (BBS, 2020). The main purpose of this study is to increase public awareness about the tax policy in Bangladesh. The study focused on the professional observation and criticism regarding the tax system in Bangladesh as a taxpayer as well as a citizen which would be helped to develop the tax collection method for the betterment of the nation. It also aims to introduce a proper tax policy guideline in Bangladesh.

Literature Review

Taxes are a very important source for Bangladesh as it accounts for more than 80 percent of total internal resources in which indirect one contributes more than 75 percent including the import tax (50 percent). That is why, taxation is always the most important policy instrument in the armory of the government to carry out its objectives of raising revenue to meet the increasing public expenditure keeping such other broader objectives of the government as equity, efficiency, self-reliance, etc. For smooth economic development, the state socio-political institutions determine the level of taxation (Chowdhury & Hossain, 1988).

Governments of developing nations make investments or meet up necessary expenditures for large infrastructure development programs with tax revenues. Considering Bangladesh as a poor agricultural economy, predominantly subsistence in nature, it is forced to rely primarily on land taxation for revenue in earlier days.

The patterns are changing with the latest industrialization stages. With the increasing industrialization of the economy and gradual expansion of the monetized sector, effective tax bases increase and imposition of such taxes as excise, sales, etc. become feasible. Thus, indirect taxes, which are generally regressive in nature, become the major source of tax revenue at the middle stage of development. When the economy is fully developed, accounting systems are standardized and widely practiced, and the implementation of direct taxes to tap different sources of income is feasible. However, direct tax again becomes the major source of revenue and is made progressive in nature (Chowdhury & Hossain, 1988).

Matiur (2007) analyzed six factors or causes which are identified that might have contributed to the magnitudes of revenue loss in each category of taxpayers, as such- Evasion (EV), lack of awareness (LA), official harassment (OH), the complexity of the law (CL), lack of social benefits (LS), And other reasons (OR) including high compliance cost, political pressure, nepotism, not want to disclose income or assets, illegal and black money earned, giving unlawful benefit to taxpayers by tax officials taking bribe etc.

Sarker (2003) has identified the three main problems of the income tax system in Bangladesh. Those are- (i) the narrowness of the tax base, (ii) evasion and avoidance of tax, and, (iii) inadequate tax administration. It had identified some other impediments like- lack of tax education and public awareness programs by tax authorities, etc. However, the government of Bangladesh has failed to achieve the expected compliance level and found it a difficult task, even after thirty years of policy implementation. Without having a minimum educational level, people who were willing to pay tax had to visit other places to assess their income tax. That is why the self-assessment system (SAS) was not as successful as Japan's.

Later on, Sarker (2004) also found the heavy reliance on indirect taxation as a major obstacle to the economic development of poor nations. However, a positive relationship between revenue collection and industrial development with economic improvement are found in Bangladesh after 1984. With ups and downs, having some reforms in tax administration, the income tax had been on an increasing trend since the early nineties and is considered as the paddle of the economy after a long military rule in Bangladesh (NBR, 2020).

Sen and Bala (2002) discussed the modus operandi of the existing income tax audit in Bangladesh. It remarked that the tax audit practice of Bangladesh is extremely negligible. It suggested having a few more policy prescriptions, with an aim to get a great boost in expanding the tax audit net, which is much needed to improve internal resource mobilization in the country for overall social welfare and economic development.

Dahl & Mitra (1991) conducted a comparative study on tax reform packages among a few countries i.e. India, Bangladesh, and China tried to show how models can complement general principles in guiding the design of a tax reform package. The Bangladesh model highlights the sensitivity of judgments about desirable tax bases to assumptions about the labor market and substitutability in production. The China model quantifies the losses from recommending a single rate value-added tax when prices are controlled and public capital is freely provided to state enterprises. The India model shows what fiscal adjustment is consistent with tariff reductions undertaken to promote an outward-oriented development strategy.

Hossain (1995) investigates the income distributional implications of different value-added tax (VAT) schemes in Bangladesh. The results indicated that a revenue-neutral uniform VAT is regressive (relative to the pre-reform situation) in its impact on the income of different households.

Mansur et. al. (2011) argues that tax systems in Bangladesh suffer from weaknesses in both tax administration and policy. The study questioned the capacity of the government regarding tax collection or in response to the delivery of public services. Khan, et al. (2019) stated that revenue mobilization in Bangladesh has not been commensurate with its rapid economic growth. However, the present study tries to evaluate the reasons for the indebtedness of the income tax system in Bangladesh by collecting data from different professionals. Considering the recommendations, it would guide the professionals and policy-makers to reform the income tax system in Bangladesh. This paper tries to discover taxpayers' perception of the taxation system (especially the income tax) with their opinion about problems and prospects of the system in the context of Bangladesh.

Methodology

To gather professionals' perspectives on the tax system in Bangladesh, a mixed-methods approach had been used in this study. A structured questionnaire had designed, consisting of both closed-ended and open-ended questions. It was distributed randomly among the different professional groups (both tax-payer and non-payers). A field-level survey was conducted from June 2022 to July 2022 on randomly selected both taxpayers and non-taxpayers in Bangladesh. The samples are randomly selected from 4 categories, i.e. Teachers, Government service holders, Private Service holders, and Businessmen. Data was collected from 80 taxpayers and 80 non taxpayers and it was equally distributed. A structured questionnaire was used in the survey. The respondents were asked to what degree the obligations of the taxation system concerning the 47 variables related to the 12 dimensions problems considering individual perceptions and knowledge. The respondents were interviewed face to face through personal visits by the authors to their places and filled up a self-administrative questionnaire except a few via online Google forms.

General statistical techniques (i.e. percentage) were used to measure the level of indebtedness of the taxation system and; respondents' perception, mode, and tax behavior according to their individual beliefs, perception, and practice, and tried to incorporate all the findings of the analysis in different tabular and graphical forms of representation. General statistical techniques are being used in the paper for information generation and ease of presentation. This study did not use any special statistical tools or mathematical models due to the limited size of the data.

Discussion and Findings

Taxation is the principal source of revenue that is the lifeblood of governments (Ahmed, 2016). But it is a complex issue in nature to the general citizens of a nation. Despite the obvious political barriers to reform, significant, if incomplete, policy and administrative reforms have taken root across much of the developing world, and particularly in Africa and Latin America (Keen, 2013). By contrast, reform has been much more halting and incomplete across South Asian nations too. Despite repeated reform initiatives revenue

collection has remained stubbornly low, while the administrative system has continued to be largely manual and characterized by high levels of discretion and corruption (Hassan & Prichard, 2013).

Table 1: Participants' (taxpayer) perception about the tax system in Bangladesh

Taxpayer (By Profession)	Percentage	Male (%)	Female (%)	Convinced	Not Convinced	No Comment
Teacher	25					
Businessman	25					
Private Service	25	76	24	55	44	1
Govt. Service	25					

Source: Data based on Field survey, 2022

Data Facts:

Taxpayer considerations are as given below-

- The samples are paying tax for different time horizons. 29% of them are paying for 1-5 years, 36% of them are paying for 6-10 years, 19% of them are paying for 11-15 years, 10% of them are paying for 16-20 year 6% of them are paying for 21-25 years.

- From the total, the 55% population's highest tax rate is 10%, the 18.25% population's highest tax rate is 15%, the 15% population's highest tax rate is 20%, and the 11.25% population's highest tax rate is 25%.

- Teachers who are paying the lowest rate, also poor in nature, are convinced but the rich who are paying at a high rate, are not convinced.

- 55% of taxpayers are convinced with the rate, they are paying. Another 44% are not convinced and 1% did not give any comment as they don't care about the rate.

- Among all the responses 45% of teachers think it's justified and others think not justified. All businessmen consider the tax rate is not equally justified, whereas 95% of private service holders think as not justified. But 20% of government service holders think that the tax rate is equally justified and 70% think not equally justified.

- The overall taxation system is merely familiar to most of the respondents as 61% are familiar with it, 21% know very little about it and 18% are totally unfamiliar with it.

- As per their own justification, 50% of teachers, 50% of businessmen, 70% of government service holders, and 75% of private service holders have a clear understanding of the taxation system. On the other hand, 15% of teachers, 30% of businessmen, 25% of government service holders, and 15% of private service holders know very little about it whereas 35% of teachers, 20% of businessmen, 5% of government service holders and 10% private service holders don't know about the system at all. This shows that teachers' and businessmen's understanding of the taxation system is comparatively less than the government and private service holders.

Non-taxpayer considered (including those who pay earlier but not in recent years)-

- A large number of the population think that the tax rate is not equally justified and needs further modification. About 80 percent of the total population think that tax rates are not equally justified, 17% think it's justified, and 3% didn't make any comment.

- Respondents think that the taxation system is very complex, where traders, businessmen, government and private service holders have equally rated perceptions. Very few businessmen and government service holders think the taxation system is effective for the economy, but no teachers and private service holders think that it is effective. The third most rated perception is unfriendly.

- Most of the respondents think that the taxation system is not user-friendly. Different types of problems they face, when they enter into the system.

- Most problems are faced as an unfriendly system by the private and government service holders and then the teachers. Here the businessmen's perception is not identical as considered to comment.

- Only one percent thinks that the taxation system is friendly, efficient, and easy but they consider it as one kind of pressure on them.

- More than 66% of people face a serious time loss to pay taxes. Sometimes they lose an entire day or sometimes a week even. Among all the businessmen who face these problem most then private service holders, then government service holders, and teachers.

- The second biggest problem is unnecessary harassment by the authorities. 65% of respondents have been harassed while paying tax, among the mostly harassed population are private service holders and businessmen. More than 58% of the population faced the inattention of the authorities. Sometimes they were waiting for several hours, but the authorities didn't pay attention to them.

- More than 50% of the total population faces helplessness during pay tax, where government service holders and businessmen face this most. Then the most rated problem is the complexity of the system. Around 50% of respondents of all categories of the sample faced the complexity of the law and the system. Businessmen who are less educated face this problem the most. In this situation, they feel helpless and don't get any help from anybody there.

- Respondents recalled that corruption is a very familiar term in Bangladesh, especially in government offices. To get earlier services and avoid harassment taxpayers sometimes have to pay bribes to the authoritative officials and peons. More than 41% of the total population has to give bribes to pay income tax and get a return. Among all, the businessmen faced bitter experiences of corruption in this system.

- 41% of the population faced problems with documentation. Although they have proper documentation, they faced rejection by the authorities.

- Everybody believes that their tax is increasing the government's revenue, but does not reflect on citizen facilities. So, if they pay tax, it would be used properly, and also in return, they will not get anything except harassment by the authorities.

- With tax, there is a bribe that has to be paid by the taxpayer which is unacceptable to many people. 55% of the total population and more than 65% of teachers faced this problem while trying to pay taxes.

- Almost 50% of respondents think that income tax law in this nation is very complex. To avoid complexity, they do not wish to pay taxes. So, in most cases, they do not pay tax as long as it is not a necessity.

- About 40% of taxpayers think tax and the unjustified tax rate is a huge burden to the people, among the 40% of taxpayers most of them are government service holders. There are 26%, who think people escape tax liability due to problematic bureaucratic policy.

- 55% of respondents think that the taxation system is the main obligation of generating income tax revenue. Another 32% think that individual value is the main obligation behind that 13% of the total population is neutral to recommend this point.

Mansur et. al. (2011) suggested the following issues to be taken care of to develop the whole system for ensuring better service delivery to the taxpayers-

1. Modernization of VAT, tax, and customs administration would go a long way in enhancing tax revenue in Bangladesh.

2. Tax administration should be geared toward providing taxpayers' services.

3. The New VAT Act must eliminate existing distortions like truncated base, tariff values, account current and tariff values.

4. Reforms on the direct tax systems should aim at the reduction of exemptions/deductions and tax holidays, taxation of capital gains, and harmonization of corporate and individual income tax rates to improve equity and efficiency of the direct tax system.

5. Broadening the base of the income tax by eliminating special treatments would improve the horizontal equity of the tax.

6. Policy reforms must go hand-in-hand with the modernization of tax administration.

Both tax-payer and non-taxpayers faced problems in Bangladesh and made negative comments about the tax system of the nation. However, Hassan & Prichard (2013) described this tax system of Bangladesh as highly informal, largely manual, and characterized by high levels of discretion and corruption while it serves the core interests of powerful political, economic, and administrative actors. The research also recalled that the tax bargain reflects Bangladesh's broader political economy, which is characterized by entrenched informal institutions underpinning the combination of generally weak governance and high levels of economic growth – the so-called 'paradox of Bangladesh'.

Figure 1: Bangladesh Tax-Revenue-to-GDP Ratio vis-à-vis comparators
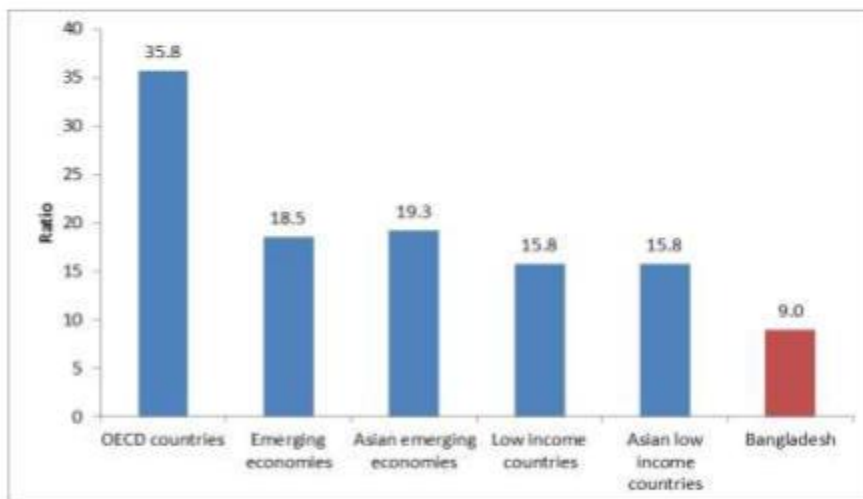
Source: Vargas, et al. 2016

Figure 1 shows Bangladesh's Tax-Revenue-to-GDP Ratio as a comparison with OECD countries, emerging economies, Asian emerging economies, low-income countries, Asian

low-income countries, etc. and Bangladesh is found as the lowest of the lower level. In recent times also, the scenario is found almost the same without any significant changes.

Conclusions and Recommendations

Bangladesh is a country with a little over 166.5 million populations but over one percent of the population pays their taxes regularly only (BBS, 2020). Moreover, a large share of the total population has no adequate tax education at all. As a result, these taxpayers are not aware of the moral and legal aspects of payment of taxes that require running an independent government and sustaining development efforts. So, the taxpayers do not comply with tax laws, especially, an income tax law which causes substantial revenue losses in Bangladesh. Relying on the outcomes of the survey, intentionally conducted in this study of this thesis identified the causes of indebtedness from Bangladesh's point of view and then categorized them into main two parts, one is centralized and another is decentralized. The centralized one is individual value or willingness, and the decentralized one includes all macro factors i.e. official harassment, illegal income-related issues, lack of social benefit, the complexity of the law, huge burden, bureaucratic policy, and other reasons, etc.

The following suggestion is highly appreciated in tax reform policy formulation or amendment in the context of Bangladesh, which has some similarities with the earlier findings by Sarker (2003) -

1. The tax laws have to be amended to ensure appropriate filing and to strengthen the penalty provisions.

2. Self-assessment cases should be brought under the direct purview of the Commissioner of Taxes. I

3. Tax counseling and other taxpayer services should be provided free of cost.

4. More manpower is needed to provide strong taxpayer services, particularly during the peak tax filing period.

5. The NBR must ensure the wide dissemination of information to enhance taxpayer compliance and also introduce taxpayer education programs.

6. Introducing automated systems to record and/or answer taxpayer queries

7. Establishing an Information Management System and computerized data input, analysis, and audit selection systems should be established, and used to detect cases for more detailed scrutiny.

8. These information management systems will be able to secure and process important third-party or income-related data, which can then be matched against a taxpayer database to detect any discrepancies in the tax returns filed.

9. Linkages with external information sources should also be formed.

10. A computerized matching system would form the platform for the computerized audit system.

11. Tax Education is extremely important to ensure to educate the young, who are the next generation of taxpayers, on the significance and role of taxes.

12. The NBR should also make an effort to obtain cooperation from local public bodies and relevant private organizations. In short, it is known as GO-NGO cooperation.

The citizens of the nation want to pay taxes as per professionals' suggestions and comments but they just need a proper environment to perform the job without harassment. Government action should not be digit centric rather than educating to ensure more participation. The existing tax rate is useful for the time being, but it is also required to be updated with the business cycle and global economic situation. It is much more a public policy issue than a financial subject to handle. Government willingness regarding this revenue-generating activity is highly involved in socioeconomic and structural development (Hassan & Prichard, 2013). This paper has provided a detailed view of the importance of dynamics in the governance of taxation, thus providing a new horizon for public policy authorities. Ahmed (2016) recalled this issue and mentioned that governments can collect and utilize a sufficient amount of the total revenue to reduce poverty and provide social infrastructure, healthcare, education, security, transport, pensions, and public goods that are necessary for citizens as well as to ensure good governance.

References

Ahmed, S., U. (2016). Improving compliance of income tax in developing countries: Bangladesh perspective, Ph.D. Thesis. Deakin University. https://hdl.handle.net/10536/DRO/DU:30088871

BBS. (2020). Bangladesh Statistics 2020. Bangladesh Bureau of Statistics (BBS). Dhaka.

BIDA. (2021). *What is the policy for personal income tax in Bangladesh?* Bangladesh Investment Development Authority. Retrieved June 16, 2023, from https://bida.gov.bd/details/what-policy-personal-income-tax-bangladesh

Chowdhury, O., H., and Hossain, M. (1988). Tax Structure of Bangladesh: An Overview, *The Bangladesh Development Studies,* Vol. XVI, No. 4, Dhaka, Bangladesh

Dahl, H., and Mitra, P. (1991). Applying Tax Policy Models in Country Economic Work: Bangladesh, China, and India, The World Bank Economic Review, Volume 5, Issue 3, September 1991, Pages 553–572, https://doi.org/10.1093/wber/5.3.553

Government of Bangladesh. (1984). The Income Tax Manual: Part-1: The Income Tax Ordinance- 1984.

Hassan. M., and Prichard, W. (2013). The Political Economy of Tax Reform in Bangladesh: Political Settlements, Informal Institutions and the Negotiation of Reform. International Centre for Tax and Development Working Paper No. 14 https://ssrn.com/abstract=2436434 or http://dx.doi.org/10.2139/ssrn.2436434

Hossain, S. (1995). The Equity Impact of the Value-Added Tax in Bangladesh. IMF Econ Rev 42, 411–430 https://doi.org/10.2307/3867579

Husain, M., T. (1997). Direct Taxes in Bangladesh: A Study of Income Tax, Wealth Tax & Gift Tax.

Khan, T., I.; Kamal, M., and Talukdar, F. (2019). Potential of Personal Income Tax in Bangladesh: An Examination of Survey Data. Centre for Policy Dialogue. http://hdl.handle.net/11540/11139.

Mansur, A., H., Yunus, M. and Nandi, B., K. (2011). *An Evaluation of the Tax System in Bangladesh*. A Policy Brief. International Growth Centre (IGC).

OECD. (2014). Addressing the Tax Challenges of the Digital Economy. In Organization for Economic Cooperation and Development (OECD) eBooks. https://doi.org/10.1787/9789264218789-en

Rahman, A. K. M. M. (2007). Noncompliance of Income Tax laws in Bangladesh: Challenges and Remedies.

Sarker, T. K. (2003). Improving Tax Compliance in Developing Countries via Self-Assessment Systems - What Could Bangladesh Learn from Japan? ASIA-PACIFIC TAX BULLETIN Vol. 9, No. 6 June 2003. https://www.semanticscholar.org/paper/Improving-Tax-Compliance-in-Developing-Countries-Sarker/d907618849f4a73bf1b1aba95f56b969142d4718

Sarker, T. K. (2004). Incidence of income taxation in Bangladesh. UN Document. http://unpan1.un.org/intradoc/groups/public/documents/UNPAN/UNPAN014405.pdf

Sen, D.K. and Bala, S.K. (2002), Tax audit: Bangladesh panorama, Managerial Auditing Journal, Vol. 17 No. 8, pp. 464-477. https://doi.org/10.1108/02686900210444806

Shil, N. C., Masud, M. Z., & Alam, M. F. (2017). Bangladesh income tax: theory and practice. http://182.160.97.198:8080/xmlui/handle/123456789/1127

Thuronyi, V., T. (1996). Tax Law Design and Drafting, Volume 1. International Monetary Fund

Vargas, V., Begum, T., Ahmed, S., Smith, O. (2016). Fiscal space for health in Bangladesh. Dhaka: The World Bank. https://doi.org/10.13140/rg.2.1.1153.3040.

The Impact of Global and Regional Influences on Domestic Violence Policy Actions in Bangladesh

Dewan Farhat Al-Jami[*]
Tarana Begum[**]

Abstract

The issue of domestic violence, whose recognition and treatment varies from nation to nation, is an important public policy concern. Global and regional influences play a significant role in shaping national law-making processes related to domestic violence. With the global recognition of the severity of domestic violence, many countries have classified it as a criminal offence. Domestic abuse is now considered a criminal offence in many nations as a result of worldwide awareness. However, Bangladesh has long ignored it as a policy issue. Bangladesh has only recently started addressing domestic violence as a policy matter. The research investigates the impact of local, regional, and transnational factors on the development of policies addressing violence against women, transforming it from a personal issue to a public problem and from a civil issue to criminal conduct. The study uses a descriptive phenomenological approach and feminist theory to investigate how domestic violence gains attention from policymakers in Bangladesh. It analyses the influence of local, regional, and global factors in shaping policies addressing violence against women in Bangladesh and explores the transformation of domestic violence from a private matter to a public concern.

Key Words: Battered women's movements, CEDAW, Domestic violence, Policy problem, Transnational influences,

Introduction

Domestic violence is a significant public policy concern that varies in its treatment across nations. Domestic violence has gained international attention as a serious problem, prompting several nations to pass legislation to protect victims and punish abusers accountable (Ryan, 2013). However, considerations other than domestic interests impact the process of developing and passing such legislation. Domestic abuse is a criminal offence in many nations due to global and regional factors (Vyas, 2006). The United Nations' recognition of the severity of this issue has led many countries to classify it as a crime. However, some nations, like Bangladesh, have only recently acknowledged domestic violence as a policy matter.

---

[*] MSc., University of Technology Sydney (UTS), Sydney, Australia, E-mail: farhatjami6331@gmail.com

[**] Professor, Department of Government and Politics, Jahangirnagar University, Dhaka, Bangladesh, E-mail: taranalopa@juniv.edu

Domestic violence was not, however, recognised as a policy issue in Bangladesh for a long time. Due to the impact of social and religious norms, it was poorly accepted as a regular part of domestic life. This misunderstanding spread the belief that husbands had the right to exert control over their spouses and that physical violence is appropriate if the woman disobeys. Furthermore, women were socialized within the patriarchal social structure to endure and negotiate with their abusive husbands in order to maintain their married existence. Despite establishing various laws and regulations linked to violence against women since its independence in 1971, Bangladesh has failed to properly address the issue of domestic violence. There were insufficient systems in place to deal with incidents of domestic abuse and provide assistance for survivors. When Bangladesh signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), women activists and non-governmental organisations focused on the domestic violence act legislation. CEDAW's international commitments compelled several nations, including India, to pass domestic violence legislation in 2005. These regional legislative advances inspired women's movements in Bangladesh to push for the passage of a separate domestic abuse law.

Despite the pervasive nature of domestic violence, the early women's movement and policymakers in Bangladesh failed to address domestic violence as a significant issue due to its deeply ingrained cultural roots and societal perception. Women's activists played a pivotal role in driving the recognition of domestic violence as a significant issue. Feminist activism worldwide sought recognition and support within the women's movement, re-conceptualizing domestic violence and incorporating it into policy agendas. Feminists worldwide worked together to establish domestic violence as a social problem, contributing to the structural disadvantages faced by women. The knowledge and understanding of domestic violence expanded, shifting the focus from women's homelessness to the violence causing it (Ramsay, 2004). The feminist response to domestic violence evolved through the actions and words of abused women, who contributed to the development of feminist and policy analyses (Gordon, 1989). Feminists' struggle to get domestic abuse publicly recognised as a major issue impacting Bangladeshi women was successful only after the enactment of the Domestic Violence (Prevention and Protection) Act 2010. However, rather than simply demand from feminist movements and gendered understandings of domestic violence, the development of current policy approaches to this issue has been impacted by a number of international and regional obligations and influences. As a signatory to international treaties and conventions like the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Bangladesh is obligated to promote gender equality, reduce violence against women, discourage child marriage, and do other things outlined in the CEDAW conventions. Concerns about economic globalisation and the incidence of gender-based violence during times of war prompted the United Nations to address the

issue of violence against women in the 1980s (Bellamy, 2016). Transnational feminist organisations were instrumental in persuading the United Nations to include violence against women on its agenda. International treaties and agreements, such as CEDAW and the Beijing Platform for Action, have emphasized the worldwide relevance of combating violence against women (Cook & Cusack, 2011). Domestic abuse has received significant attention from women's groups, development partners, and non-governmental organisations since the ratification of CEDAW.

Domestic abuse has been recognised as a policy concern in Bangladesh since the mid-2000s, but it was not until 2010 that a complete legal and policy framework to combat domestic violence was constructed. Using the ideas of agenda setting and framing, this essay explores the historical processes and reasons that led to domestic violence becoming a serious policy concern. The paper investigates the factors that shaped Bangladesh's domestic violence environment and their impact on policy responses. The research is based on a content analysis of the domestic violence policy and regulatory framework. Domestic violence policy development in Bangladesh evolved through time and was characterized by the interaction of transnational, regional, and national policy development, major players, and varied frameworks. The way the issue was depicted at various times in time and by various parties played a significant impact in the delay in putting it on the policy agenda. Women's organisations and non-governmental organisations were critical in building frameworks for gender equality and development. The Domestic Violence Act was recommended by the Bangladesh Law Commission in 2004, and it was followed by the development of a National Plan of Action. However, women's rights activists and organisations criticized these attempts. In 2004, two renowned non-governmental organisations in Bangladesh, ASK (Ain o Shalish Kendra) and BNWLA (Bangladesh National Women's Lawyers Association), separately wrote the Domestic Violence Act and submitted it to the Ministry for consideration. Under the CIDV network, roughly 33 non-governmental organisations collaborated in 2007 to draught a domestic violence Act that incorporated the draughts of the Law Commission, ASK, and BNWLA. Domestic Violence (Prevention and Protection) Act 2020, often known as the DVPPA, became law in 2020. This research provides a critical perspective on the emergence of domestic violence as a public issue, the response of the nation, and the key influencers involved. This study examines the emerging domestic violence legislation in Bangladesh from the standpoint of gender equality. This study illustrates the effect of local, regional, and global forces by critically examining the rise of domestic violence as a public problem and the advancement of associated legislation in Bangladesh. To understand how violence against women has gained worldwide attention, it is essential to study the growth of the social policy agenda and the efforts made by

diverse players. This study looks into the origins of domestic abuse legislation, exploring the effect of causes such as the feminist movement in the 1970s and a series of global conferences conducted from 1985 to 1995. It also looks at current regional and local variables that are likely to have influenced the development of domestic violence regulations.

Objectives of the Study

The primary objective is to investigate the factors that influenced the formation of domestic violence legislation in Bangladesh. It evaluates the regional and transnational influences on the formulation and legislative process of domestic violence in Bangladesh. In addition, the study evaluates the transition of policy ideas from Western contexts to the local context in Bangladesh and analyses the support and opposition they encounter from various societal factions.

Significance of the Study

International treaties and transnational feminist organisations have played critical roles in raising awareness and eradicating domestic violence on a worldwide scale. This paper investigates how domestic violence became a public policy concern as well as the roles of various transnational and regional settings. By examining the expansion of social policy objectives and the engagement of varied stakeholders, such as feminist activists and international conferences, the research provides an understanding of the elements that have shaped domestic violence policies. Worldwide women's organisations and early feminist activity prompted the entire community to take a position against domestic abuse by designating it a human rights issue, elevating it from a private family matter to a public one. Transnational feminist organisations and international treaties contribute to raising awareness and combating domestic violence. Bangladesh's legislation on domestic violence is also influenced by CEDAW and global and regional factors.

Literature Review

This literature review investigates three research issues. The first section examines the theoretical framework for the impact of global and regional stakeholder roles and policy development. This study analyses Carol Bacchi's 'What's the Problem Represented to Be?' approach. Then it looks at the roles of both international and regional players in influencing domestic abuse legislation. Finally, the study takes a look at the literature on battered women's movements, international human rights movements, and transnational and regional developments on domestic violence policy processes and policymaking in Bangladesh.

Bacchi's policy analysis technique and Edward Said's concept of a "travelling theory" provide valuable perspectives for understanding the dynamics of domestic violence policy-making worldwide. Bacchi's policy analysis technique, referred to as the "What's the Problem Represented to Be?" (WPR) approach, offers a valuable tool for critically

examining public policies. The approach recognizes that policy proposals inherently reflect what is perceived as problematic and in need of change (Bacchi, 2012). The WPR approach aims to uncover the underlying assumptions and conceptual logics that shape problem representations in policies by employing a set of six questions. Bacchi's approach offers a comprehensive theoretical perspective that allows for critical analysis of problem representations within domestic violence policymaking and other areas of public policy (Bacchi, 1999).

The battered women's movement has been instrumental in lobbying for reform and increasing public awareness of domestic abuse (Dobash & Dobash, 2003). Grassroots organisations have provided forums for women to discuss their stories, build support networks, and fight towards societal reform by breaking the silence around abuse. The movement attempted to make domestic abuse a public problem, attracting the attention of legislators and officials and paving the way for protective measures.

The development of domestic violence as a policy problem relied on the widespread acceptance of a reframed understanding of gender-based violence (Gordon, 2022). It was no longer viewed as a private issue but recognised as a societal responsibility, necessitating the intervention of public policy (Ramsay, 2007). This shift in perspective was achieved by feminists across different countries who worked independently and eventually collaboratively to establish the link between domestic violence and the broader social and economic disadvantages that shape women's lives. They challenged the prevailing notion of domestic violence as an individual pathology and successfully defined it as a social problem.

Numerous people will have an impact on how laws and policies aimed at reducing violence against women develop in some nations. Violence against women has been viewed in a different light since the 1970s. As a result, it is now seen as a public issue and aggressively pursued on a global scale. The traditional presumption that such violent crimes were exclusively perpetrated in secret has changed. In response to feminist protests in the 1980s, the United Nations recognised violence against women as a major issue and classified it as a violation of human rights (Pietila & Vickers, 1996). The issue of globalisation and transnational social policy has not received the same weight in the context of domestic abuse as talks on the design and implementation of laws to combat specific forms of violence against women, such as trafficking. Women's activists, non-government organisations, civil society, and scholars are pressing more and more for the global policy framework to be used to create policies with greater depth (Dobash & Dobash, 1979).

This study aims to investigate the impact of transnational and regional elements on domestic violence policy and action in different sociocultural settings. While Bangladesh enacted its first policy effort on domestic violence in 2010, early gains in eliminating domestic abuse remain. The study intends to show how transnational influences have greatly affected present efforts to address the issue.

Transnational Influence on Domestic Violence Policy

The United Nations (UN) has played a vital role in recognizing and addressing women's political rights in the sphere of international efforts. The 1952 Convention on the Political Rights of Women's signature serves as evidence of their initial focus on ensuring women's voting rights (Buzawa & Buzawa, 2017). However, it became clear that just ensuring voting rights would not adequately address the pervasive issue of domestic abuse against women. Domestic violence has historically been the most widespread type of human rights violation against women, owing to their inferior status within families and cultures. Many nations lacked comprehensive legislation to combat such violence, and in other areas where laws did exist, their enforcement was insufficient. In 1979, the United Nations took a crucial step towards tackling domestic abuse by ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (Buzawa & Buzawa, 2017). Through this treaty, the United Nations started on a quest to abolish all types of discrimination against women, including domestic abuse. Representatives from the United Nations recognised that violence against women was widespread and deeply embedded in societal conventions, cultural practices, and even religious views about women's responsibilities.

The adoption of the General Assembly's resolution titled "Declaration on the Elimination of Violence Against Women" at its 48th Session on December 20, 1993, was an important milestone in the UN's efforts. This resolution acknowledged that domestic violence disproportionately targeted women and was therefore a component of the discrimination against women forbidden by the 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women (Buzawa & Buzawa, 2017). By taking this action, the United Nations General Assembly officially acknowledged that domestic abuse reflected and perpetuated unequal power dynamics between men and women, resulting in men's dominance, discrimination against women, impediments to women's advancement, and the perpetuation of women's subordination. The Declaration on the Elimination of Violence against Women's Preface emphasized this recognition. The majority of countries adopted the framework that this statement created. It states that domestic abuse is part of a larger pattern of discrimination and violence against women.

As mentioned in previous chapters, this gendered perspective has advantages and disadvantages. The fundamental benefit is that it recognizes the reality that most instances of domestic violence are motivated by gender discrimination. As a result, efforts may and should focus on tackling the issue as part of a holistic plan to combat discrimination against women, with males being the major perpetrators and women being

the primary victims. With the ratification of this framework by the UN, the great majority of governments now have a guiding principle for addressing domestic abuse as a manifestation of gender discrimination and violence against women.

This research examines the global impact of domestic violence policy processes. This perspective examines the various international actors that influenced Bangladesh to include domestic violence on its policy agenda. United Nations conventions and treaties, global women's movements, and human rights movements played a role in influencing the local policy process. Global initiatives, such as the Battered Women's Movement, human rights movements, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), contributed to a growing international consensus on the importance of combating domestic violence. The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) of 1966, in addition to the Universal Declaration of Human Rights (UDHR) of 1948, explicitly acknowledged the obligation of States Parties to guarantee equal access to all civil, political, social, and economic rights outlined in the two Covenants for both genders (Muntarbhorn, 2017).

The United Nations adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on December 18, 1979. CEDAW's gender-specific approach to equality and non-discrimination highlights the need for legal measures against violence. Feminist legal scholars believe that CEDAW holds great potential for achieving significant gender equality for women. Upon ratifying CEDAW, a state assumes the responsibility to address discrimination and violence against women. The ratification of international treaties and conventions, including CEDAW, has influenced Bangladeshi laws, despite some reservations about specific provisions (Khan, 2015).

Regional influences play a crucial role in shaping domestic violence law-making processes. One noteworthy example is the impact of India's lawyers' collectives on Bangladesh's domestic violence law. The Lawyers Collective played a pivotal role in advocating for and enacting the Domestic Violence Act in India in 2005. This landmark legislation recognised domestic violence as a distinct offence and provided legal remedies and protection for victims. Inspired by the success in India, women's movements and activists in Bangladesh recognised the need for a separate domestic violence law and drew inspiration from the Indian model.

Countries often adopt successful models from elsewhere, adapting them to their unique social, cultural, and legal contexts. International and regional networks and platforms provide opportunities for sharing experiences, fostering cooperation, and strengthening capacity-building efforts. They contribute to the creation of a normative framework that encourages governments to priorities domestic violence legislation and take necessary measures to protect victims. International and regional obligations also assist states in aligning their national laws with established standards, ensuring consistency and coherence in addressing domestic violence.

Role of Battered Women's Movements

During the late 1960s and 1970s, the battered women's movement actively spoke out against domestic abuse through focused campaigns, addressing a multitude of repressive issues (Moges, 2010). These encompassed lively debates about women's identity, political representation, education, employment, state involvement, autonomy, freedom, motherhood, the moral standing of women, the dynamics of family, patriarchy, power dynamics, domination, and oppression (Schechter, 1982). The movement drew inspiration and influence from significant historical periods such as the Enlightenment, French and American revolutions, the Industrial Revolution, Evangelicalism, religious revivalism, and early anti-slavery movements in the 18th and 19th centuries (Janse, 2015).

The battered women's movement has played a crucial role in bringing public attention to the issue of domestic violence and organizing practical assistance for women based on a broader feminist-inspired philosophy of change. The battered women's movement has effectively placed the physical and sexual abuse of women and girls at the forefront of the social agenda. It has done so by contextualizing the movement within the legacy of the women's liberation movement and exploring diverse approaches to understanding social movements and bringing about social change in the context of domestic violence (Mahapatra, 2008). The women's movement of the late 1960s and 1970s served as the foundation for membership and provided an overarching perspective from which numerous issues could be addressed and actions organized. This movement drew from various sources, engaging in debates about women's nature, citizenship and political representation, higher education, employment, the role of the state, independence, autonomy, freedom, motherhood, the moral standing of women, the family, patriarchy, power, domination, and oppression, among many others. The ideas and influences that shaped the movement trace back to the Enlightenment era, the French and American revolutions, the Industrial Revolution, evangelicalism, religious revivalism, and early anti-slavery movements in the 18th and 19th centuries (Anderson & Zinsser, 1988; Banks, 1981; Rendall, 1985).

The battered women's movement has been pivotal in bringing about significant progress in raising public and political awareness of domestic violence since the 1970s (Meyer-Emerick, 2002; McCown, 2004; Felder & Victor, 1996; MacKinnon, 1987). It is widely recognised as an offshoot of the Women's Liberation Movement of the 1960s (Alcaraz, 2006). According to Ashcroft (2000), before the 1970s, there were no terms to describe the problem of wife abuse; the problem instead stayed indoors and behind closed doors. In 1973, Erin Pizzey, the founder of the battered women's movement in England, first focused on domestic violence in an article published in Ms. Magazine (Walker, 2002). In 1977, Pizzey's book, Scream Quietly or the Neighbors Will Hear, brought attention to the issue of domestic violence (Portillo, 2011). One of the primary goals of the battered women's movement was to transform the issue of women's abuse or violence in intimate relationships from a private matter to a public issue (Walker, 2002). Making it a public

issue was key in order to get the attention of legislators and policymakers so that policies to protect women against violence could be implemented. Activists of the battered women's movement soon came to the realization that the efforts to eliminate violence against women needed to encompass the wide-ranging structural transformation of society (Muntarbhorn, 2017).

The Battered Women's Movement is frequently credited with revealing the extent of domestic violence and agitating for social change (MacKinnon, 1987; Schechter, 1982; Koss et al., 1994; Kurz, 1989). This movement is recognised as a by-product of the Women's Liberation Movement of the 1960s (Koss et al., 1994, cited in Portillo, 2011). Since the 1970s battered women's movement, the world has seen significant progress towards increasing public and political awareness of domestic violence (Drum, 2004). Through its unwavering commitment to shedding light on the extent of domestic violence and advocating for social change, the movement continues to drive transformative efforts to address this pressing issue. Women who have been physically attacked at home by the men with whom they live have launched a worldwide movement to protect battered women and combat male violence.

During the 1960s and 1970s, the campaign resurrected women's rights and the need to protect women from abuse, garnering legal and legislative attention since the early 1970s (McQuigg, 2011). Before this age, wife abuse remained buried behind closed doors due to a lack of adequate words. Erin Pizzey, the originator of the battered women's movement in England, raised awareness about domestic abuse in a 1973 essay and again in 1977 with her book (Simic, 2020). The campaign attempted to make domestic abuse a public problem, drawing the attention of politicians and officials to the need for protective measures. Activists quickly realized that ending violence against women required structural societal reforms.

Findings of the Study

This study finds that feminist mobilization is the key driver of variation in the development of policies addressing domestic violence against women. Furthermore, the study shows that autonomous movements have a lasting influence on DV policy. By emphasizing the importance of civil society, especially social movements, this research highlights their crucial role in driving progressive social policy change at both national and global levels.

Violence against women was not commonly recognised in the past as a crime or a violation of human rights. Even international human rights frameworks such as the Universal Declaration of Human Rights and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) did not specifically priorities DV. The feminist activists' lobbying led to the acknowledgement of DV as a serious issue and a violation of human rights. Feminists have been at the forefront of bringing DV to the public's attention and advocating for its inclusion in legislative agendas. Government and non-government policy players, as well as human

rights organisations, frequently neglected to confront VAW until feminist activists pushed them to do so in the 1990s. Domestic abuse was included in the Domestic Abuse (Prevention and Protection) Act 2010 by Bangladesh civil rights organisations and women's activists in 2010.

The importance of battered women's movements lies in their early intervention in raising awareness about domestic abuse. This activity eventually expanded from the West to the rest of the globe. They have also inspired feminist movements in Bangladesh. Battered women's movements have affected VAW policy via a variety of means, including altering public and government agendas, demanding institutional reforms, lobbying, shifting cultural perceptions, and organizing networking and cultural events. These movements generate political will to solve the problem and challenge existing power systems.

While scholarly attention to government action on domestic violence (DV) has increased, there is a lack of examination regarding the impact of global policy shifts in comparative social policy and gender and politics studies. DV policy encompasses various aspects that shape the normative and social order, define social groups, and determine their status in society.

Women's movements in Bangladesh have focused on violence against women since the country's independence. Although domestic violence was not initially a central concern, feminist groups have included discussions on gender-based violence from the outset. After the 1970s, the idea of domestic violence—which encompasses physical, emotional, and psychological abuse by intimate partners—gained explicit attention (Ramsay, 2007). Earlier discussions primarily revolved around topics such as women's work, marriage, motherhood, and rape without specifically identifying violence within intimate relationships (Ramsay, 2007). However, gradual developments led to the recognition of domestic violence as a core feminist issue. These developments included discussions on rape and the publication of articles and newsletters highlighting the experiences of women facing violence.

It is important to note that the international recognition of domestic violence as a feminist issue did not emerge immediately. Even at the first UN World Conference for Women in 1975, violence against women within families was not considered a significant concern. The recognition and inclusion of domestic violence on the multilateral agenda took time. This delay does not imply that early Women's Liberation activists were unaware of its existence but reflects a process of re-conceptualization and reframing the issue within a feminist analysis. Women who had experienced male violence played a crucial role in driving this recognition and seeking support. Their courage and willingness to speak out contributed to the new strategic opportunities provided by the evolving women's movement. Various factors, such as changes in women's education, employment, and reproductive control during the 1960s, also contributed to the disconnect between early feminist movements and the identification of partner violence as a key issue.

Conclusion

This study focuses on the variables that impacted the evolution of domestic abuse laws in Bangladesh and investigates the role of transnational and regional forces in creating policy responses. It investigates the historical processes and causes of Bangladesh's acknowledgment of domestic abuse as a key policy problem. Domestic violence was not widely tolerated in Bangladesh because of societal and religious traditions, which led to the notion that husbands had the right to rule their wives and that physical violence was permissible. Women were raised in a patriarchal society that emphasized forbearance and bargaining with violent spouses. The feminist movement and women's organisations, on the other hand, played a critical role in opposing these standards and increasing the acknowledgement of domestic abuse as a serious issue.

International laws and agreements, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), prompted Bangladesh to take action to promote gender equality and prevent violence against women. The UN also addressed the subject of violence against women, which resulted in increased awareness and global initiatives to prevent domestic abuse.

The research also investigates the role of various stakeholders, such as grassroots organisations and the battered women's movement, in campaigning for legislative reform and raising public awareness of domestic violence. These efforts helped reframe domestic violence as a communal rather than a private concern, paving the way for protective measures. The global and regional features of domestic violence policy development, as well as the involvement of numerous stakeholders, prompted Bangladesh feminist activists and groups to raise the concerns as policy priorities. CEDAW responsibilities provided the foundation for their demand, and they were eventually able to adopt a domestic violence statute in 2010.

Domestic violence has been highlighted as a policy problem in Bangladesh since the mid-2000s, but a comprehensive legal and policy framework to prevent domestic violence was not established until 2010. While scholarly attention to government action on domestic violence (DV) has risen, there is a dearth of investigation in comparative social policy and gender and politics studies of the impact of global policy reforms. Since the country's independence, women's movements in Bangladesh have concentrated on violence against women. Changes in women's education, employment, and reproductive control throughout the 1960s further contributed to the divergence between early feminist movements and the recognition of partner abuse as a critical issue.

References

Alcaraz, C. (2006). *Violence against women: A policy analysis of the Violence Against Women Act (VAWA)*. California State University, Long Beach.

Anderson, B. S., & Zinsser, J. P. (1988). A history of their own: Women in Europe from prehistory to the present.

Ashcroft, C. (2000). Naming knowledge: A language for reconstructing domestic violence and systemic gender inequity. *Women and Language*, *23*(1), 3.

Bacchi, C. (2012). Introducing the 'What's the Problem Represented to be?' approach. *Engaging with Carol Bacchi: Strategic interventions and exchanges*, 21-24.

Bacchi, C. L. (1999). Women, policy and politics: The construction of policy problems. *Women, Policy and Politics*, London: Sage.

Banks, O. (1981). Faces of feminism: A study of feminism as a social movement, Martin Robertson.

Bellamy, A. J. (2016). The 2030 agenda: Reducing all forms of violence. *UN Chronicle*, *52*(4), 29-32.

Buzawa, E. S., & Buzawa, C. G. (Eds.). (2017). *Global responses to domestic violence*. United States: Springer International Publishing.

Cook, R., & Cusack, S. (2011). *Gender stereotyping: transnational legal perspectives*. Pennsylvania: University of Pennsylvania Press.

Dobash, R. E., & Dobash, R. (1979). *Violence against wives: A case against the patriarchy* (Vol. 15). New York: Free Press.

Dobash, R. E., & Dobash, R. P. (2003). *Women, violence and social change*. London: Routledge.

Drum, C. R. (2004). *Power, legitimation, and drawing distinctions: Rendering of 'public' and 'private' in United States domestic violence policymaking*. University of Nevada, Las Vegas.

Felder, R. L., & Victor, B. (1996). *Getting away with murder: Weapons for the war against domestic violence*, New York: Simon & Schuster.

Gordon, L. (2022). *Heroes of their own lives: the politics and history of family violence--Boston, 1880-1960*. United States: University of Illinois Press.

Janse, M. (2015). 'Holland as a little England'? British anti-slavery missionaries and continental abolitionist movements in the mid nineteenth century. *Past & Present*, New York: Oxford University Press, *229*(1), 123-160.

Khan, A. R. (2015). A chronicle of the global movement to combat violence against women: the role of the second-wave feminist movement and the United Nations: the perspective of Bangladesh. *Journal of International Women's Studies*, *16*(2), 213-244.

Koss, M. P., Goodman, L. A., Browne, A., Fitzgerald, L. F., Keita, G. P., & Russo, N. F. (1994). *No safe haven: Male violence against women at home, at work, and in the community*. Washington DC: American Psychological Association.

Kurz, D. (1989). Social science perspectives on wife abuse: Current debates and future directions. *Gender & Society*, Washington DC: Sage Publications, *3*(4), 489-505.

MacKinnon, C. A. (1987). *Feminism unmodified: Discourses on life and law*. United States: Harvard university press.

Mahapatra, N. (2008). *South Asian women and domestic violence: Incidence and informal and formal help-seeking*, PhD Dissertation, The University of Texas at Austin, December.

McCown, T. L. (2004). *Policy entrepreneurs and policy change: Examining the linkages between TANF, domestic violence and the FVO*. West Virginia University.

McQuigg, R. J. (2011). *International human rights law and domestic violence: The effectiveness of international human rights law*. New Delhi: Routledge.

Meyer-Emerick, N. (2002). Policy makers, practitioners, citizens: Perceptions of the Violence Against Women Act of 1994. *Administration & Society*, London: Sage Publication, 33(6), 629-663.

Moges, T. G. (2010). *The Legal Response to Domestic Violence in Ethiopia: A Comparative Analysis*. Germany: VDM Publishing House Ltd.

Muntarbhorn, V. (2017). The International Covenant on Civil and Political Rights (ICCPR) and Thailand. In *The Core Human Rights Treaties and Thailand* (pp. 141-194). Belgium: Brill Nijhoff.

Pietilä, H., & Vickers, J. (1990). *Making women matter: the role of the United Nations*. London: Zed Books.

Pizzey, E. and Forbes, A. (1974). Chiswick Women's Aid and Erin Pizzey's Scream Quietly or the Neighbours Will Hear (1974). Australian Historical Studies, 51(2), 107-126.

Portillo, A. M. (2011). *Domestic Violence: A Policy Analysis on the Violence Against Women Act (VAWA) of 1994*. Long Beach: California State University.

Ramsay, J. (2007). POLICY ACTIVISM ON A 'WICKED ISSUE' The Building of Australian Feminist Policy on Domestic Violence in the 1970s. *Australian Feminist Studies, 22*(53), 247-264.

Rendall, J. (1985). *The origins of modern feminism: women in Britain, France and the United States, 1780-1860*. London: Bloomsbury Publishing.

Ryan, B. (2013). *Feminism and the women's movement: Dynamics of change in social movement ideology and activism*. New York: Routledge.

Schechter, S. (1982). *Women and male violence: The visions and struggles of the battered women's movement*. United States: South End Press.

Simic, Z. (2020). From Battered Wives to Domestic Violence: The Transnational Circulation of Chiswick Women's Aid and Erin Pizzey's Scream Quietly or the Neighbours Will Hear (1974). *Australian Historical Studies, 51*(2), 107-126.

Vyas, P. (2006). Reconceptualizing domestic violence in India: economic abuse and the need for broad statutory interpretation to promote women's fundamental rights. *Mich. J. Gender & L., 13*, 177.

Walker, L. E. (2002). Politics, psychology and the battered woman's movement. *Journal of Trauma Practice, 1*(1), 81-102.