

1 **Republic, Democracy and Status of Electorate:** 2 **A Study of Bangladesh**

3
4 *Voice of the people is supreme in democracy. Government is subservient to the*
5 *hopes, aspirations, desires and demand of the electorates in a republic. Where*
6 *these are absent in day to day life but party in power, government, judiciary,*
7 *armed forces, news media relentlessly reiterate true existence, practice, and*
8 *exploration of the same more than any other period ever then the common*
9 *masses and rational people become fumbled of what they see and perceive is*
10 *just or unjust. Over coming this dubious stands of government and party in*
11 *power true scenario of the political system should be reflected in the*
12 *constitution so people and world community can't be cheated. This writing is*
13 *directed to acquaint people of Bangladesh as well as world community with the*
14 *reality of the political practice and system prevalent right now in Bangladesh*
15 *and give Bangladesh a new constitutional name thereby.*

16 17 18 **Introduction**

19
20 Official name of Bangladesh is the Peoples' Republic of Bangladesh. In spite
21 of being a republic, basic features of that sense is not felt in the actions and
22 policies of Bangladesh government except the election of the head of the state by
23 indirect vote. Bangladesh is also a democratic polity. Democracy can not be
24 diminished by the working of the government in power. Democracy is one of the
25 four pillars of Bangladesh Constitution. In a democratic republic electorate is all in
26 all in every sphere of statehood. In Bangladesh electorate are given salute and are
27 also commemorated in every action of government meeting, pubic gathering,
28 public speech, pubic speeches and in the Jatiya Sangsad. Though the electorate
29 were ensured to cast their electoral choice in 1991, 1996, 2001 and 2008 national
30 polls yet those elected government did not rationally treat those verdict in their
31 decision and policy making matters. During military rule though electoral voice
32 was hijacked yet wishes of the electorate were reflected in the actions and policies
33 of those authoritarian regimes. After 2008 national polls electorate of Bangladesh
34 lost every thing that were entrusted with them by the political thinkers of all ages
35 on republic and democracy. Being a democratic republic the electorate of
36 Bangladesh should have say in every action of the executive, legislature, judiciary,
37 but in reality that is not visible. This article is directed to find out the soundness of
38 nomenclature of Bangladesh as a republic as well as democratic polity and show
39 the hopelessness undone condition of electorate under prevalent socioeconomic
40 and political environment of Bangladesh to the democracy loving world.s

41 42 43 **Conceptual Framework**

44
45 Republic, democracy and electorate these three are main themes of this
46 research. Without having basic idea on any of these this writing fails to reach a

1 justified conclusion. Summary exploration of their cardinal features will enrich
2 this comparative writing.

3 4 5 **Republic**

6
7 Republic is a system of government where the head of the state is elected by
8 people in a direct or indirect means and in which electorate asserts absolute power
9 to realize their rational and legal hopes and aspiration through direct or indirect
10 control over executive machineries of the government in power.

11 Here people as a whole means their chosen representative found through
12 election. People here do not mean only the victorious party but also the losing
13 party too. Interest and service must be secured for all sections of the population
14 what ever their race, color, religion, gender, political ideology, may be. That's why
15 it is said that republic bears three cardinal features in it viz; i) power is held by
16 people, ii) people give this power to their elected representative for serving their
17 (people) interest; iii) the representative serve all the people irrespective of their
18 stand during election process.

19 Despite defeat is looming for their favourite person in the highest post of the
20 state the system exercises such tactic which foils any possibility of doing injustice
21 towards the losing party in election process¹. In judiciary such protective measures
22 are adopted that block the chance on the part of the victorious party of employing
23 political vice against opposition for depriving them of state privileges.²

24 In case of legislation, Treasury Bench does not proceed with any law without
25 taking confidence of the opposition. Without the sanction of the defeated party
26 legislature does not legislate on any issue concerned with them.³ That's why it is
27 said that republic is a system where voice of the people is reflected, honoured,
28 respected and accommodated sincerely and prudently in all spheres of government
29 policies and activities as a whole not as parity/differently/ divisively. This concept
30 of republic disappeared with the fall of Republican era in Roman political history
31 ie republic is a part of ancient political thought. With the demise of ancient
32 political history mediaeval age began with absolute monarchy having total
33 interference of religion in every sphere of statehood. Renaissance halted the speed
34 of religion in statehood and encircled religion within the periphery of church and
35 personal life of electorate. Concept of republic started looming in the writing of
36 modern political thinkers in different headings viz; freedom of thought, legitimacy
37 of the government, consent of the people, rule of law, enjoyment of rights,
38 independence of judiciary. Consequently USA declared independence from UK
39 and established itself as the 1st republic of modern era on July 4, 1776. Modern
40 republic contains only one feature of ancient style republic ie the head of the state
41 must be elected by the choice of the people in direct or indirect vote. No other
42 feature of ancient republic matches with modern republic. However elements of
43 democracy overwhelm other tools of ancient republic in current political systems.

¹Kabir, L, *Roman Law*, Law House, Dhaka, 1974, p13

²Ibid pp 16 17

³Ibid, p 21

1 **Democracy**

2

3 Democracy is a form of government where state power is exercised by adult
4 citizens directly or through their representative chosen in a free, fair and well
5 managed election held periodically. It resets on the principle of majority rule and
6 individual rights. Rule of law must be established by the government and it must
7 be reflected in its policies and actions.

8 Existence of opposition voice/giving space to the dissident opinion is a part
9 of viable democracy. View expressed by opposition political party or group or in
10 other words active participation of people must be there in politics and civic life.
11 In nutshell democracy must contain the principle of checks and balance.

12 Legitimacy of the government must be there in democracy. This legitimacy is
13 determined in a free, fair, neutral election held in a peaceful atmosphere.

14 In democracy judiciary not only plays the role of guardian of the constitution
15 but also protects fundamental rights of the citizens. An independent judiciary
16 ensures and keeps constant eye on the free enjoyment of civil liberties by citizens.
17 Democracy is vibrant where judiciary does not sing with the same tune of the
18 government but with the words of rational choice of the people.

19 There must be at least two political parties. Having a strong opposition
20 (political group) is a must for fruitful realization of democratic sense in the society.

21 Keeping and maintaining strong democratic institutions such as judiciary,
22 election commission, bureaucracy, print and electronic media, political parties etc
23 is another precondition of democracy.

24 Having an efficient, professional, honest, strong and time worthy people
25 oriented bureaucracy is required for sound democratic system. Bureaucracy is part
26 of republic. It is a part of the political government so far it (political government)
27 is directed under constitution and law.

28 Civil society is a part of modern democracy. This group upholds, maintains
29 and represents the real ideals of the society. It neither follows the path of
30 government nor the support or decline the opinion of the opposition but portrays
31 the moral and ethical values and rational of the society.

32 Patriotic and apolitical army is essential for nourishing a sound and healthy
33 democracy. Military must not be partisan forum nor advocate for any political
34 party or government in power. Military must keep and uphold the sacred voice and
35 will of the people.

36 Independent and neutral press is another basic essence of modern democracy.
37 It obliges the government to be in right path by revealing the right and wrong,
38 misdeeds and anti people policies and action of the government to the people.
39 Sham type press and media is not suit for workable democracy. Where opposition
40 is not able to counter the evils of the government due to lack of cooperation and
41 coordination, the press plays the role of powerful opposition bringing the people
42 under one umbrella for the cause of betterment of the people and the state against
43 the wrong policies and actions of the government.

44

45

46

1 **Electorate**

2

3 Electorates are those people who are eligible to vote in an election. In other
4 sense it means the citizens who enjoy voting right in determining authority of a
5 political system are electorates. Certain age, citizenship and full possession of civil
6 and political rights are required for attaining voting right. Having property is
7 another vital condition of becoming voter as insolvent is disqualified for casting
8 vote.

9 Electorate is to familiarize him/herself with the candidates and issues,
10 maintain with the office of the supervisor of election a current address, know the
11 location of his/her polling place and its hours of operation and bring proper
12 identification to polling station.

13 Voter must cast his/her vote in a free, fair, and peaceful atmosphere. No
14 threat, violence, intimidation will be there before, during and after the poll day.
15 Not only that entry and exit route towards polling station must be kept free of
16 candidate's spokes person/representative. Voter must not be asked by any person
17 about his/her choice within the premises of polling station. Not only that, none can
18 cast vote on behalf of other/others.

19 Election commission arranges a sound and complete voter list, arrange proper
20 mechanism for ensuring the presence of voters spontaneously without intimidation
21 and fear. Government institutions (bureaucracy) must act under the authority of
22 Election Commission during election. Electorate must be assured of that the party
23 for which/whom he voted become victorious in the election out come.

24 When voters have any question regarding genuineness of election result
25 he/she shall have the opportunity to recount the ballot for pacifying his/her query.
26 Here the Election Commission must be cooperative and must keep in mind that the
27 voter must not be deprived of their decision and at the same time EC must neither
28 act on the dictate of government nor opposition. Consent of the electorate must be
29 reflected in the action of the EC and the government.

30 The party voted to power by the electorates must fulfill her election manifesto
31 on the basis of which it drew the attention of the electorates in the polls. Any
32 deviation from or violation of election promises in the action and policies of the
33 government is ultra vires and has no effect under secularized political system.
34 State privileges must be enjoyed by the electorates, and reached and distributed
35 equally to the people. Priority among the electorates on the basis of political
36 affiliation regarding distribution of state privileges must not be maintained by the
37 government. Government official, temporary executive and electorates must be
38 treated equally in respect of having economic, social, political benefits of the state.
39 In secularized political system permanent and temporary executive do not use their
40 official power/position/post in availing any needs of daily life in advance of
41 electorates.

42 After acquaintance with the cardinal features of republic, democracy and
43 becoming familiar with importance and role of electorate it is obvious that a viable
44 democratic republic works in conjunction with spontaneous positive consent of
45 electorate. Lack of cooperation and shortcoming in any basic essences of the two

1 concepts viz, republic and democracy peaceful harmony in political system can
2 not be realised.

3 Bangladesh is a democratic republic. It is one of the basic pillars of
4 Bangladesh constitution as well as the commitment of martyrs of liberation war
5 which judiciary endorses as a part and parcel of Bangladesh Constitution. In
6 saying that judiciary declares parliament has no right/authority to obliterate the
7 term of democracy in any of its form/sense. Bangladesh Constitution surrenders
8 her sovereignty to the electorate/ people. Ruling parties in Bangladesh reiterate
9 that people's sovereignty and democracy explore in sky high speed during their
10 reign. And when they remain outside the throne sovereignty and democratic norms
11 and values disappear from the country. Political parties in Bangladesh are
12 committed to peoples/electoral sovereignty as well as electoral democracy whether
13 they have belief in those or not. What type of political situation prevails in
14 Bangladesh in reality in comparison to democratic republic is intended to be
15 portrayed in this writings.

16
17

18 **President**

19

20 As parliamentary form of government is at work in Bangladesh President has
21 little to do with state affairs of the government except playing the role of rubber
22 stamp. President of Bangladesh under the constitution is to put signature on the
23 papers put forward by Prime Minister. In three occasions e.g. appointment of the
24 Prime Minister, the Chief Justice of Bangladesh and pardoning power along with
25 power of remitting or reducing sentence/conviction of convicted criminals
26 President has some space to use his/her wit. For unknown reason he is not seen to
27 exercise that space. In a republic as the head of the state responsibility of ensuring
28 well and woe of every citizen lies with him. For last seventeen years precisely
29 speaking after the removal of President Badruddoza Chowdhury⁴ by the then
30 ruling Bangladesh Nationalist Party Presidents are seen inactive in carrying out his
31 constitutional duty rather he is eager to show his loyalty towards the party from
32 which he has been appointed to the presidency. In a republic every office of the
33 state is entrusted with specific power and duties. Persons holding these offices are
34 bound to materialize their own duties without fair and interest. In Bangladesh in
35 spite of occupying highest office of the republic President is to obey the command
36 of the Prime Minister not to the citizens who are the owner of the state power
37 under republic. Another important judicial power wrongfully exercised by the
38 President of Bangladesh is grant clemency to criminals denying the norms and
39 values of eternal justice system. In such cases President and party in power brand
40 these criminals as the victim of political vice of previous government. In 2018
41 president Abdul Hamid Khan gave general mercy to Tofail Ahmed Joseph,
42 younger brother of Army Chief General Aziz who is a die hard Awami leader.⁵
43 This guy was a murderer and close associate of PM Sheikh hasina during 1996 to

⁴*The Frontline* (Indian national Magazine) July 6, 2002

⁵*The Daily Star*, June 1, 2018. *The New Nation*, June 1, 2018. All the Prime Minister's Men, *Al Jazeera*, February 1, 2021

1 2018. In another event President used his power under article 48 of Bangladesh
2 Constitution in trial stage before becoming matured for asserting his judicious
3 power over highest judiciary. Not only that criminal charges brought by military
4 backed caretaker government headed by Mayeen Uddin Fakruddin against leaders
5 of Awami League were withdrawn on the plea of politically motivated with the
6 sanction of President.⁶ For unknown reason charges instituted against leaders of
7 political parties other than Awami League have been going on in normal course.
8 Here President Abdul Hamid has no response.

9 The basic feature currently considered as only symbol of republic reflected in
10 the screen of political system is the head of the state must be the choice of the
11 people through direct /indirect election. The consent of the people must be a
12 genuine one as in the case of USA. US president is not the direct choice of the
13 electorate but the electorate believes and means that the President elected is
14 complete expression of their consent. But Presidents elected by 10th and 11th
15 parliament in Bangladesh are not the consent of the people. The reason lies with
16 the fact that the Members of these two parliaments are not choice of electorate.
17 Therefore assent of the people required for having the President of a Republic is
18 absent here.

21 **Prime Minister (Head of the government)**

22
23 Prime Minister is the most powerful figure in parliamentary form of
24 government in third world countries like Bangladesh where secularized political
25 culture is absent and head of all constitutional and non constitutional posts are
26 manned by partisan, corrupt, dishonest and sham type figures. Being a republic
27 office of Prime Minister should be an office for the people. Where PM is not
28 acting as commoner there should remain another post representing the neglected
29 section of the population. Such system was prevalent in ancient Roam during
30 republican era. In Bangladesh democracy is one of the four pillars of Bangladesh
31 Constitution and spirits of liberation war as well. Being so opposition leader
32 should have the same honor and command as well as authority to protect the
33 opposition view i.e the dissident view against the party in power. In Bangladesh
34 since 2009 opposition views and thought are not only undermined but all efforts
35 are made to alienate shadow government theory brutally by employing every
36 possible and impossible wrong and vicious means. PM of Bangladesh is the PM of
37 one political party. Whoever brings any genuine allegation of corruption and
38 malpractice against the PM he/she vehemently denies that tagging it as the
39 malicious conspiracy of the opposition. Not only that he/she is termed as traitor or
40 enemy of development and peaceful environment of the state. PM of Bangladesh

⁶*The Daily Star*, June 11, 2009. See also *the New Age*, June 22, 2009, bdnews.com June 10 2009, 02.18 pm.Bdst

1 is the guy who maintains all sorts of solution in her pocket which other ministers
2 of her ministry do not possess.

3 In 2020 one Army officer Major (Ret) Sinha was murdered by a police officer
4 for hiding the wrongful affairs of concerned police officer. After murder under
5 police custody the parents of the army officer made appeal to PM Sheikh Hasina
6 for doing justice to his slain son.⁷

7 At the time of ‘Nirapod Sharak Chai’ movement undergoing with the
8 auspices of school students when public life was halted whole nation was waiting
9 for what action the PM would take to pacify the abnormal situation into a
10 normalcy one.⁸ Prime minister Sheikh Hasina did not take any step to quiet the
11 anguish of people as well as the students. Rather she appreciated the goondas and
12 members of Chhatra League who mercilessly attacked the agitating students for
13 dispersing and suppressing fortnight long movement. And visited the wounded
14 party men received injury during their offensive against leaders of student
15 movement at the hospital.⁹

16 At the killing of Sagar Runi, two prominent investigative journalists, relatives
17 of the victims urged the PM for justice in the case. PM Hasina did not listen to that
18 call. She expressed her satisfaction by relieving the law enforcing agencies of
19 their incapacity of protecting victims’ lives saying that police duty is not to protect
20 people in their bedroom.¹⁰

21 During crash in share market thousands of share holders were turned into
22 beggars and number of shareholders committed suicide owing to becoming
23 penniless in share market crash by nights. It is estimated that around thirty lac
24 shareholders suffered unprecedented loss in that crash. Shareholders urged the PM
25 for taking steps for stopping that collapse and bringing the culprits involved in that
26 crash into justice. In reply PM Sheikh Hasina did nothing except forming an
27 inquiry commission.¹¹ However she withheld the inquiry commission findings as
28 family members of PM and some big fishes of her AL party were directly
29 manipulated the crash.¹²

30 In Pilkhana massacre 56 high ranked army officers were brutally murdered in
31 the hands of BDR members on February 25, 2009. During the trial hundreds of
32 DBR members were tortured to death for extorting false evidence and hundreds of
33 BDR members were given death sentence for committing the heinous massacre.
34 Government and AL were satisfied that they successfully dealt with the BDR
35 mutiny and culprits of the event. But the relatives and people of the country are not
36 satisfied with outcome the ruling AL government present before them. They asked
37 the PM for fear investigation of the incident and justice to the deceased souls.
38 After expiry of 12 years the PM and her party AL have not heed that call.¹³

39 In case of demise of any prominent figure or at the achievement of any
40 electorate of Bangladesh in any field viz; noble prize, culture, literature, sports,

⁷*The Prothom Alo*, August 1 2021. See also *the Naya Diganto*, August 2, 2021

⁸*The daily Star*, August, 1,2,3,5,6, 2018

⁹*The Observer*, August 5 2018

¹⁰*The New Age*, February 23, 2012

¹¹*The Naya Diganto*, January 25, 2011

¹²*The Daily Star*, April 8, 2011. See also *the Prothom Alo*, April 8, 2011

¹³*The daily Star*, February 25, 2021, *The New Age*, February 25, 2021

1 research, etc PM Sheikh Hasina always gives condolence and greeting to pro
2 Awami League icons not to others possessing dissenting opinion. In very few
3 cases dissidents are praised but PM's tone remains dim. Noble laureate Dr.
4 Yunus¹⁴ and death of President Yasuddin Ahmed¹⁵ may be mentioned here in this
5 regard.

6 In democratic society electorates expectation and PM's action will be directed
7 to one goal. PM is PM where people's voice is reflected in actions and policies of
8 the government. Where people's choice and expectation differ from that of PM
9 that is not a democracy nor a republic though government, PM and ruling party
10 reiterate democracy, peoples' government in meeting, public gathering, and
11 speeches.

14 Judiciary

16 In a democratic republic judiciary is to protect not only fundamental and
17 human rights of the subjects /people but also to ensure the smooth working of all
18 tools of democracy as well as republican features of the state. Judiciary is the task
19 master of executive.¹⁶ Judiciaries of USA, Switzerland and Germany are glaring
20 example in this respect. Since constitution is the highest law of the land and none
21 is found to protect it's sanctity, judiciary as the protector of soul and reason of the
22 society is entrusted with the power of protecting the common will of the electorate
23 i.e the constitution.¹⁷ In Bangladesh theoretically judiciary is the guardian of the
24 constitution i.e. democratic republic and electorate are the responsibility of the
25 judiciary.¹⁸ Working of the same is reverse from it's constitutional obligation. It is
26 a sham in the hands of the politicians in power. In Bangladesh judiciary salutes
27 every decision of the ruling party as constitutional word. It is seen to assert its
28 guardianship role only when government's action affects their professional interest
29 and job security. In case of Eighth Amendment judiciary buried the wellbeing of
30 common masses by declaring the change *ultra vires* but assertion of this power
31 was to save the professional and financial interests of justices and law
32 professionals¹⁹ However, where executive head is adamant the judiciary surrenders
33 to the vice of the party in power. In Sixteenth Amendment of Bangladesh
34 Constitution Chief Justice SK Sinha was to lose every thing for meeting
35 unconstitutional desire of the top leadership of ruling Awami League.²⁰

36 Bangladesh Judiciary is divided into two parts lower judiciary and higher
37 judiciary. Lower judiciary is to deal with ordinary civil and criminal cases. Lower
38 judiciary was given independence in 2007 by the military backed caretaker

¹⁴The Protham Alo, July 17, 2013 The Daily Inqilab, January 26, 2017

¹⁵The Daiy naya Diganto December 11, 2012

¹⁶Kaski Harold J, A Grammar of Politics, 1948, P298

¹⁷Murbery Vs Medison Case(1803)

¹⁸See Article 7 of the Constitution of the People's Republic of Bangladesh. Ministry of law, Justice and Parliamentary Affairs, Dhaka, 2017

¹⁹Islam, Md. Morshedul , Decentralization of Judiciary and the Role of Lawyers in Bangladesh: an Analysis, Journal of Law, Policy & globalization, Vol.20,2013

²⁰The Daily Star, September 14, 2017

1 government led by Fakruddin Ahmed. Before that all efforts and commitments for
 2 establishing independent judiciary of previous governments were limited in speech
 3 and agenda of election manifesto. Though independence was given to judiciary by
 4 military backed caretaker government it was abnormally abused against politicians
 5 for injecting new political thought.²¹ Peoples' disregard for this new political
 6 theme forced the military backed Caretaker government to leave power to
 7 traditional system. But the technique of using judiciary for smooth running of
 8 authoritarian rule by alienating all possible threat to government was imbibed by
 9 next civilian governments under the leadership of Prime Minister Sheikh Hasina.
 10 As a result criminal courts do not hear the voice of common masses let alone the
 11 opposition. It (lower judiciary) is thought to be a grinding machine to squeeze the
 12 opposition as well as true speaking people of the society. Where criminal courts
 13 are seen to do justice to people (activist or leaders of opposition political party or
 14 dissident of ruling party) persecution alone with demotion and forced transfer is
 15 fallen upon the judicial officer for performing his duty in conformity with law and
 16 evidence.²²

17 On the contrary in cases where Awami League leaders, party men, relatives
 18 of Awami League leaders such as viz, Casino king Jubo League leader Samrat²³,
 19 Mr. Tanvir Ahmed in Hall Mark case,²⁴ Mr. Tareque in Narayangang²⁵ Seven
 20 Murder Case are involved judiciary is seen to follow go slow policy. Though trial
 21 court announces highest punishment in these cases yet no body knows when the
 22 punishment would be executed. Awami League and government in different
 23 forums used these sentences against their opponent in name of independence as
 24 well as rule of law but common masses possess different view in this regard.

25 Higher judiciary i.e. Supreme Court is the guardian of Bangladesh
 26 Constitution as it is a written constitution. It is used as a rubber stamp of the
 27 government in power for endorsing all its right and wrong decisions. This
 28 subservient judiciary is secured by appointing ruling party lawyers to the High
 29 Court Division and Appellate Division. Only lawyers who prove his/her selfless
 30 loyalty without professional efficacy towards the ruling party and its leadership are
 31 eligible for getting appointment to higher judiciary. After recruitment 2nd time the
 32 justices are to prove their adherence to the ruling party by endorsing
 33 unconstitutional, undemocratic and anti people actions and decisions of the party
 34 in power and government. Where justice is seen or perceived by the ruling party
 35 that any right decision is going to be discharged for the shake of justice, rule of
 36 law, democracy, and constitutionalism the justices concerned are to face
 37 persecution from the government, party in power, judiciary, news media etc.
 38 Removal of Chief Justice Surendra Kumar Sinha is the glaring example of this
 39 kind.²⁶

²¹*The Benar News*, May 3, 2022

²²*The Arab News*, July 2013, See also *The Naya Diganto*, October 14, 2018

²³*The New Age*, April 11, 2022

²⁴*The Prothom Alo*, April 18, 2018

²⁵*The Daily Star (On Line)*, August 27, 2017

²⁶*The Aljazeera*, September 28, 2018, See also Sinha, S K, *A Broken Dream: Rule of Law, Human Rights & Democracy*, 2018

1 In a system where republic is the choice of the people, people sacrificed in
2 millions for the cause of democracy, rule of law and securing basic fundamental
3 human rights in 1971, such backboneless institution(Constitutional Court) can
4 only serve vices of government in power other than constitution, democracy and
5 peoples' right in a polity like ours. Thus executive is the taskmaster of judiciary in
6 Bangladesh.

7
8
9 **Rule of Law**

10
11 The sacred word “rule of law” is frequently and heavily uttered by
12 government, leaders of party in power, politicians and persons occupying top posts
13 of the republic in a chorus. It is interesting that these people do not believe in rule
14 of law. Not only that they are not capable of understanding the meaning and
15 concept of that. None of these people has taken any steps towards the realization
16 and meaningful implementation of this word in their thinking, policy and working.
17 Though they reiterate ‘rule of law’ in public meeting and gathering they do never
18 order their subordinates or persons occupying constitutional posts to materialize
19 rule of law in their actions and policies. Officially they adopt partisan policy
20 beneficial only for the members of the party in power and detrimental to the rest.
21 The Mayors of different city corporations were given the status of Deputy Minister
22 in 2010. All Mayors elected from Awami League were given this status of Deputy
23 Minister under this law from 2010. In 2013 mayors elected from opposition
24 political parties were deprived of this honor.²⁷

25 During military backed caretaker government (January, 2007 to January,
26 2009) the authority then in power brought huge number of criminal and politically
27 motivated cases against leaders of major political parties prevalent there in
28 Bangladesh. Awami League government formed under the auspices of Hasina in
29 2009 withdrew most cases lodged against its leaders from top to bottom but
30 continues other cases made against opponent party²⁸ Begum Khaleda Zia,
31 Bangladesh nationalist Party Chair Person, was tried and convicted of one of such
32 politically motivated cases lodged by 1/11 government.²⁹

33 In police station you will not get any justice if you don't belong to ruling
34 party. Here right and wrong does not matter. What type of crimes you commit or
35 you are accused of does not concern the police if you are a member of ruling party.
36 Regarding opposition whether you are involved in wrong doing or not, police
37 invents new mechanism to ensure your (opposition and common masses) presence
38 behind iron cage for pacifying government and party in power.

39 Lower judiciary does not give bail to an accused if he/she (accused) smells
40 opposition fragrant. Where it is revealed that rule of law is maintained in any case
41 where opposition member/members is/are linked the adjudicating officer/officers

²⁷*The Protham Alo*, May 6, 2015

²⁸*The Daily Star*, July 8, 2009

²⁹*The Al Jazeera News Channel*, February 8, 2018

1 are to succumb administrative as well as professional punishment for singing with
2 justice (rule of law).³⁰

3 In case of Anti Corruption Commission ruling party persons involved in
4 corruption are purified through its bias magnifying test machine by giving them
5 certificate of clean sheet that they had no connection with those alleged and
6 established misdeed, corruption and malpractice denying the belief of electorate.³¹
7 On the contrary if you are from any party other than party in power the ACC
8 asserts its relentless efforts and bias sincerity in action. Where you are from
9 opposition it tries her best to criminate so called accused by applying all wrong
10 and right vices of its weaponry.³²

11 Regarding recruitment to government offices and public universities (particularly
12 in Dhaka University and Judicial Service Commission) selection committees
13 under Awami League regime from 2009 have been denouncing the appointment of
14 any eligible candidate from Madrasha background though Madrasha Education is
15 recognized by law of the land.³³ However opposite view is visible where the
16 candidate has proved his/her allegiance towards Awami League party through his/
17 her action/ working.³⁴

18 Awami League government started trial of associates of war criminals on the
19 plea of committing genocide, massacre, rape, arson, looting in 1971 liberation war
20 and successfully hanged top leadership of Jamayat e Islam as well as some veteran
21 leaders of opposition Bangladesh Nationalist Party.³⁵ People cautiously responded
22 as none of the associates/collaborators of war criminals belonging to Awami
23 League Party has yet been brought under the International War Crime Tribunal.
24 Khandaker Mosharraf Hossain incumbent Jatiya Sangsad member representing
25 the Faridpur-3 constituency since 2009 from Bangladesh Awami League, Md.
26 Nurul Islam, State Minister, Ministry of Religious Affairs, from June 23, 1996 to
27 July 2001 from Awami League though involved in war crimes are tried for that.

28

29

30 **Legislature**

31

32 In a Republic where parliamentary style of government is in action legislature
33 is the centre of sovereign power within the framework of constitution. Legislature
34 ensures the satisfaction of the people of the republic. Interest and benefit of
35 electorate and reduction of bottle necks or hindrance to the way of sound and

³⁰*Ibid*

³¹In Mr. Sayeed Khakon, a prominent Awami League leader and former Mayor of Dhaka City Corporation, Dr. Mohiuddin Khan Alamgir in Farmers Bank scam, Dr. Atier Rahman, former Governor of Bangladesh bank, in eight and a half thousand Crore taka scam cases ACC did not find any corruption doing.

³²*The Daily Inqilab*, June 2, 2022

³³Researcher got the information after taking interview with applicants having Madrasha background who faced Viva Voce at Judicial Service Commission and Dhaka University.

³⁴Appointment of Md. Mokter Ahmed in the Department of Islamic Studies, Rajshahi University, Bangladesh.

³⁵Abdul Kader Molla, Matiur Rahman Nizami, Mohammad Kamruzzaman, Mir Kashem Ali, Ali Ahsan Mohammad Mujahid are all top leaders of Jamayat e Islam of Bangladesh. Salauddin Kader chawdhury was BNP leader.

1 healthy life of the citizens should definitely be the subject of legislature. These are
 2 achieved by forming the legislature with literate, sound, sincere, honest, aristocratic
 3 and rational law makers. Law maker speaks the voice of the electorate fearlessly
 4 and in dominant character. And it guarantees better life for all the electorate
 5 assisted in reaching here.³⁶ Legislature of Bangladesh shows different character in
 6 this regard. Voice of the people is altered frequently but is barely reflected in its
 7 actions. Legislators are kept in silence for making rule of the government secured
 8 during her tenure under article 70 of Bangladesh Constitution.³⁷ Ruling party law
 9 makers are seen to spend most of their allotted time fixed for speaking in the
 10 House in praising the ruling government and rest to speak ill of opposition party.
 11 Rarely lawmakers are seen to discuss on constructive and dynamic issues of the
 12 subjects and political development relevant to public importance or electorate.
 13 Opposition view or matters affiliated to development, welfare, rule of law, justice
 14 for the common masses etc are squeezed by disconnecting the microphone or by
 15 creating abnormal hue and cry in the floor of the House. Legislators are habituated
 16 of spoiling approximately 90 percent working hour in slashing past governments
 17 and opposition or praising policy, working, and success of ruling party. Rest
 18 period the House spends for materializing real moto of her election.

19 Most interesting matter in respect of legislator is that political parties having
 20 representation in the House are often seen to use their lawmakers in the street
 21 movement not in the legislative process.

22 In 10th and 11th parliament legislators were not the choice of the electorate.
 23 Awami League government under the leadership of PM Sheikh Hasina abolished
 24 Non Party Caretaker Government the only mechanism which guarantees free, fair,
 25 credible and neutral polls.³⁸ As a result BNP having highest popularity among the
 26 electorates since its creation, it is argued, boycotted 10th parliamentary polls in the
 27 plea of vote rigging and malpractice on the part of EC and ruling AL party. In 10th
 28 parliament 154 seats out of 300 were elected uncontested and the rest were
 29 decided by less than 5% electorates as 39 political parties including BNP led 20
 30 party alliance boycotted the polls.³⁹ As 90% electorates did not cast vote and 154
 31 MPs were not the choice of the people this legislature had no legitimacy to act for
 32 the electorates. 11th parliament was elected by the election officials of the EC.⁴⁰
 33 Electorates had no say in the creation of 11th parliament.⁴¹ Thus this parliament
 34 has no legal, rational and moral authority to act for the electorate or other words
 35 government formed by 11th parliament is *void ab initio*.⁴²
 36

³⁶Kapoor, Anup Chand, Select Constitution.

³⁷See Article 70 of *the Constitution of the People's Republic of Bangladesh*. Ministry of law, Justice and Parliamentary Affairs, Dhaka, 2017

³⁸*The Daily Star*, June 30, 2011

³⁹*The New Age*, January 6, 2014, *The Naya Diganto*, January 6, 2014

⁴⁰*The Jai Jai Din*, January 6, 2014

⁴¹Election officials from government, semi government, autonomous bodies as well as independent persons involved in 11th parliamentary polls revealed these on the condition of keeping their identities secret.

⁴²Appelbaum, Arthur Isak, *Legitimacy: The Right to Rule in a Wanton World*, Harvard University Press, 2019

1 **Election Commission**

2

3 Election Commission is a constitutional body. During election all machineries
 4 of the government are to be subordinate to it and to carry out the order and
 5 direction of it for arranging and holding free, fair and credible election under
 6 constitutional terms. Proving its independence, boldness and stiffness in power and
 7 authority Chief Election Commissioner showed his backbone straight through
 8 electronic media! Not only that it tried to explore her sanctity by asking the
 9 American Election Commission during 2020 US Presidential Election to have
 10 lesson from Bangladesh Election Commission of holding free, fair polls and
 11 publishing first and query free polls outcome.⁴³ However the EC is not seen to
 12 assert her authority under the constitution at all. All elections held under party
 13 government since the independence of Bangladesh were marked with fraud,
 14 rigging and malpractice. Electorates were not seen to be happy with the election
 15 outcome. Party government uses the EC as her party office with the goal of
 16 securing her victory in polls by hijacking the will /consent of the electorates
 17 towards her party. For security of consent of the electorate in a free, fair and
 18 credible election, Non Party Caretaker Government was made by Constitutional
 19 Thirteen amendment in 1996. Since the working of the Non Party Caretaker
 20 Government stopped hijacking consent of the electorate in managed polls Awami
 21 League government abolished this pro people amendment on undemocratic plea in
 22 2011 for perpetuating her grip in state power. Accordingly Awami League
 23 government manned the EC with its loyal bureaucrat. As a result history was
 24 created in 10th parliamentary polls regarding number of MPs elected uncontested
 25 and percentage of voters cast vote in the election. EC declared result of 154
 26 uncontested seats out of 300 before election date, as most of the opposition
 27 political parties did not participate in 10th parliamentary election in contemplation
 28 of fraud, rigging and malpractice on the part of the ruling AL in the polls. In 11th
 29 parliamentary election EC invented as well as implemented a system where
 30 approximately 80 percent ballots were sealed for the ruling party by election
 31 officers at dead of night on the eve of election date. On the election date, 20
 32 percent voters were allowed to cast their choice.⁴⁴ After 11th national polls EC
 33 achieved another mile stone in vote rigging during local elections viz; City
 34 Corporation, Union Council, Upazilla Parishad where voters are allowed to go to
 35 the polling station on election date but they are not allowed to cast their vote. Here
 36 voters are asked for his/her choice thereafter the polling officers put seal on the
 37 ballot paper accordingly for the ruling party. Where voters have different choice
 38 they are asked not to go to polling centre. Expressing satisfaction at this new
 39 mechanism of voting Chief Election Commissioner said there requires no stuffing
 40 ballot midnight before election date from now.⁴⁵

⁴³See the comment of CEC of Bangladesh published in print media. *The Naya Diganto, The Daily Star, the Protham Alo*, November, 12, 2020

⁴⁴Election officials from government, semi government, autonomous bodies as well as independent persons involved in 11th parliamentary polls revealed these on the condition of keeping their identities secret.

⁴⁵*The Protham Alo, The Naya Diganto*, March 9, 2021.

1 Under this circumstances where electorates have no minimum opportunity of
 2 casting their consent the CEC says democracy is exploring in Bangladesh day by
 3 day by huge participation of electorate in the polling stations. Electoral choice for
 4 the AL government makes democracy sound, healthy and strong under AL
 5 leadership. The stand of Chief Election Commissioner for republic, democracy,
 6 consent of the electorate, rule of law, and efficiency of arranging and holding free,
 7 fair and credible polls looks absurd and proves his insanity as well.

8

9

10 **Opposition**

11

12 In Bangladesh opposition parties are branded as enemy of the society/state
 13 and ruling elites try their best to eliminate all sorts of opposition regarding party,
 14 opinion, view and thought from their path by using state power absolutely.
 15 Bangladesh Awami League as a ruling party is the strict follower of this tradition.
 16 The reign of AL from 1972 to August 15, 1975 under Sheikh Mujibur Rahman,
 17 the regime of AL from June 1996 to October, 2001 and current AL rule from 2009
 18 under Sheikh Hasina are glaring examples of this feature.

19

20 Opposition thought, voice, view, stand, opinion always have vital role in a
 21 viable political system in a republic and democracy. Distancing from these is a
 22 death blow to healthy socio economic and political atmosphere. Rational demands
 23 and issues raised by opposition are honored and praised in a democratic republic,
 24 and must be accommodated in the policies and undertakings of the government for
 25 ensuring a happy peaceful, harmonious and prosperous polity. Where rational and
 26 legal dissident voice is branded as enemy of democracy, society, and
 27 independence of the state the existence of republic and democracy in the polity is
 28 in question and exploration and expansion of democracy, rule of law, good
 29 governance etc acclaimed by the regime can not be relied upon and appreciable
 30 too.

30

31 In Bangladesh post independent government led by father of the nation
 32 Sheikh Mujib squeezed opposition voice by inserting special powers Act and one
 33 party dictatorial system in the constitution through 2nd constitutional amendment
 34 and 4th constitutional change. These two amendments are considered as
 35 undemocratic, unconstitutional and betrayal with the martyrs of liberation war.
 36 First military government led by Ziaur Rahman restored democracy as well as
 37 republican environment ensuring peoples' participation in all spheres of statehood.
 38 Ziaur Rahman's philosophy was followed by BNP governments during 1991 to
 39 1996 led by Begum Khaeda Zia, wife of Zia but 3rd term from 2001 to 2006 BNP
 40 deviated from opposition oriented political philosophy. 1/11 government took state
 41 power due to indifferent stand of BNP government against the people.

41

42 Awami League governments starting from January, 2009 to till date led by
 43 Sheikh Hasina have established opposition free polity by applying fascist rules and
 44 policies in Law Enforcing Agencies, Armed Forces, Judiciary, Election
 45 Commission, Anti Corruption Commission, Bureaucracy and News Media. It
 46 abuses the ICT Act, 2019 in pacifying anguishes of common masses in social
 media against the regime. Massacre in Pikhana BDR Head Quarter against

1 unarmed army officers, suppression in armed forces by removing thousands of
 2 high ranked army officers in the name of bringing discipline therein⁴⁶, Massacre in
 3 Hepazat E Islam’s colossal gathering in 2013,⁴⁷ Use of fire during BNP led
 4 opposition movement in 2014,⁴⁸ brutal attack against the student leaders of
 5 Nirapad Sharak Chhai movement,⁴⁹ imprisonment of Begum Khaleda Zia in a
 6 politically motivated corruption case⁵⁰, hanging of top opposition leaders in the
 7 name of war crimes⁵¹, use of Bureaucrats, Army, Police, RAB, EC in conducting
 8 midnight vote robbery in 11th parliamentary polls,⁵² and bringing of thousands of
 9 false criminal cases against opposition political activist, disappearance and killing
 10 of unknown numbers of opposition political activist by law enforcing agencies,
 11 etc were used and are still being used to suppress the opposition for perpetuating
 12 AL Government under Sheikh Hasina.

13 New trend that is development in sacrifice of democratic republic in policies
 14 and actions of the AL government is visible. For materialising this theme current
 15 government leaves nothing undone in uprooting opposition from its path. Thus
 16 while AL praises for democracy and opposition voice it sounds rape of democracy
 17 and slapping at the sacrifice of the martyrs of 1971 war.

18
 19

20 **Armed Forces**

21

22 Military is the reflection of sovereign power of the state.⁵³ Sovereignty must
 23 not be bias. It upholds the reason and consent of the people as a whole. Where
 24 decision is prevalent among the subjects regarding the choice of party military
 25 must side the reasoned block. In case of republic and democracy, military sticks to
 26 constitution and consent of the people. Where evil power comes to the throne and
 27 seeks support of military it extends cooperation to the cause of electorate. Such
 28 basic role of sovereignty is absent in Bangladesh. It is said that rational stand of
 29 Bangladesh armed forces was destroyed with the killing of 56 army officers under
 30 a conspiracy orchestrated by Awami League government in Pilkhana Hatya Kanda
 31 on February 25, 2009.⁵⁴ In consequence to that so called mutiny thousands of
 32 rational and honest army officers along with thousands of BDR personnel were
 33 given forced retirement and dismissed from armed forces. Trial of the mutiny has
 34 not satisfied the relations of the murdered officers.⁵⁵ After that event armed forces
 35 became sham in the hands of AL government and party. Alleged involvement of

⁴⁶Kumar, Anand, The BDR Mutiny: Mystery Remains but Democracy Emerges Stronger, *The Journal of Defense Studies*, Vol 3, No 4, October, 2009

⁴⁷The Weekly Holiday, May 10, 2013

⁴⁸*The DW*, February 3, 2015

⁴⁹*The Daily Star*, August 3, 2018

⁵⁰Aljazeera news, February 8, October 29, 2018

⁵¹VOA, East Asia, November 13, 2015

⁵²*The New Age*, September 25, 2020

⁵³Dacey, A.V., An Introduction to the study of the law of the Constitution, Macmillan, Universal Book Traders, tenth Edition, Published 1959, pp 39 to 150, 304

⁵⁴Ahmed Rumi, The war that was never fought, *Bdnews.com*, February 27, 2011

⁵⁵*The Naya Diganto*, February 25, 2022

1 army in Hepazat E Islam movement in 2013 and in midnight vote robbery in 11th
2 parliamentary polls erased democracy and republic from the polity of Bangladesh.
3 Army Chief of Staff General Aziz Ahmed described 11th parliamentary polls as
4 free, fair and best polls ever held in Bangladesh since 1971.⁵⁶ RAB Head Bengir
5 Ahmed and Police Chief publicly supported the government as if they are AL
6 party men not the servant of the republic. They should work for the republic and
7 cause of the electorate. The working of top officers in armed forces stands against
8 the electorate, democracy and sovereignty of Bangladesh but satisfies the
9 authoritarian reign of current AL government. Their role should have been for the
10 republic not for the party in government.

11
12

13 **Civil Society**

14

15 Civil society maintains and upholds secularized norms and values of a
16 political system. What ever may be the condition of a political system under all
17 circumstances, it sticks to reason and rational view of the society and common
18 masses. It portrays secularized culture of the state without fear and threat.⁵⁷

19 In Bangladesh civil society is divided into two sects. Views of civil society
20 are hired and bought by money, and political post. It is pathetic as well shameful
21 for the people of Bangladesh that their civil society advocates for corrupt,
22 dishonest, characterless political leaders, criminals, anti socials and terrorists for
23 little financial and political gains undermining the spirits of republic. Such
24 character of civil society is a barrier to political development and exploration of
25 the spirits of liberation war. A new trend has been developed since 2007 that
26 members of civil society are forced to support the government in power without
27 making any sense of right and wrong. Where its members do not respond positive
28 towards government policies and actions, they are branded as enemy of the
29 society, democracy, independence and state. Thereafter they are declared
30 unwanted as well as persona non grata to the nation for their stand for truth,
31 justice, constitution, democracy, rule of law.⁵⁸ Thus republic and democracy can
32 not be imagined in Bangladesh where civil society is announced persona non grata
33 by the ruling party.

34

35

36 **Condition of Electorate in Bangladesh**

37

38 Electorate of Bengal had crucial role in the creation of Pakistan in 1946
39 Provincial polls and they played vital role in establishing independent Bangladesh
40 in 1970 National Assembly as well as in Provincial polls. In spite of having
41 dominating contribution in materialization of independent polity, governments in
42 new territory ignore their choice in running administration. The electorate was first
43 denied of their opinion in the hands of Sheikh Mujibur Rahman by creating

⁵⁶*The Daily Star*, December 30, 2018

⁵⁷Edward Micheal, *Civil Society*(1st Edition), Polity Press, Cambridge, UK, 2004

⁵⁸*The Daily Star*, September 28, 2020

1 BAKSAL, One Party Dictatorial Government in place of democratic republic.⁵⁹
 2 Choice of electorates was manifested in the working of 1st military ruler under the
 3 guardianship of Ziaur Rahman. Consent of the people once against was snatched
 4 away by 2nd military ruler General Ershad. Wishes of the voters came into track
 5 during the reign of Khaleda Zia⁶⁰. Peoples' verdict was reflected in the formation
 6 of Awami League under the leadership of Sheikh Hasina but AL government
 7 failed to do justice with that sanction in operating administration (1996 to 2001).⁶¹
 8 Though electoral choice cast heavily in bringing Bangladesh Nationalist Party in
 9 power under the auspices of Khaleda Zia citizens were disappointed with the
 10 action and policies of thereof in 2001 to 2006.⁶² Disregard of electorate by
 11 incumbent BNP led four party alliance government bought AL in power under
 12 Hasina in 2008. Overwhelming popular vote was manhandled by incumbent AL.

13 As a result government's fate was settled in the minds of electorate. Truth lies
 14 in the fact that voters choice (from the inception of Bangladesh) goes against the
 15 incumbent government. People of Bangladesh are keen enough to examine every
 16 policy, action and inaction of the running government and decide their opinion
 17 thereon in the polls. Reigning governments do not digest this prudent decision of
 18 the voters. They consider them (electorate) illiterate, fool, and immature of taking
 19 electoral decision. Bangladesh is perhaps the only country where Election
 20 Commission, government and judiciary are not ashamed of ignoring the query of
 21 voters regarding vote irregularities.

22 Perhaps foreseeing her defeat in 10th parliamentary election Awami League
 23 leadership, the spokes person of spirit of liberation war, republic, democracy and
 24 peoples' voting right, created bottlenecks to holding free, fair and credible
 25 election by abolishing Non Party Caretaker Government bringing change in the
 26 Constitution in name of being anti democratic republic. On the other hand
 27 opposition spearheaded by BNP took drastic steps for refraining incumbent AL
 28 government and EC from arranging questionable vote. Thus dogs were frequently
 29 seen in polling stations and polling booths on January 5, 2014 (polling date of 10th
 30 Parliamentary Polls) instead of gathering of electorates.⁶³

31 In 11th Jatiya Sangsad Election Awami League government under the
 32 leadership of Sheikh Hasina relieved the voters of their right as well as duty of
 33 casting vote by stuffing ballot midnight before election date in cooperation with
 34 Election Commission, Bureaucrats, Election Officers, Armed forces, Police, News
 35 Media along with AL party men. In local body election held after 11th national
 36 polls EC officers in harmony with AL party men expedited voting capacity of the

⁵⁹See the 4th Amendment to the Constitution of the People's Republic of Bangladesh, *the Bangladesh Observer*, January 26, 1975

⁶⁰See the Article "1996 Non Party caretaker Government Movement and the Role of Opposition In Bangladesh: A politico legal Analysis", *The Banaras Hindu University Law Journal*, 2020, India

⁶¹See the result of 8th Parliamentary Polls, *The daily star*, October 2, 2001

⁶²See the article The Politics behind the Passage of Fourth Amendment to the Constitution of the People's Republic of Bangladesh and Its Provisions: A Modest Analysis, *Journal of Public Policy and Administration Research*, Vol.4, No.9, 2014

⁶³*The daily Star*, January 6, 2014, see also *The Bangladesh Observer*, *The New Age*, And *the Prothom Alo*, January 6, 2014

1 electorates by putting seals on the ballots on behalf of the voters. In this way
 2 reigning government under its auspices has snatched away voting right of the
 3 subjects since 2014 National Polls. In a political system where the subjects are
 4 disappeared of giving verdict in coordinated conjunction of bureaucrats, EC,
 5 armed forces, news media, police and election officers that polity can be termed as
 6 any name other than republic and democracy. The government exercising
 7 sovereign power has no legitimacy to do so in a democratic republic.

8 Electorates bring parties into state power for securing state privileges for their
 9 cause. AL government fails to provide adequate jobs to citizens. Unemployment
 10 rate is highest in Bangladesh. Law and order situation is not up to the mark to ebb
 11 the dissatisfaction of the voters. Trade and commerce is open for the reigning party
 12 men. Judiciary does not adjudicate cases against ruling party men under unwritten
 13 law. Abuse of citizens, voters, opposition activists by police and law enforcing
 14 agencies is abnormally high since 2009. Political freedom is made absolute for the
 15 AL and its associates. People lost faith in police and armed forces, judiciary as
 16 well for getting justice. Right to know the truth has become a lie as news media is
 17 suppressing the truth for the cause of government persecution. These have no
 18 value to reigning AL government since 2009. But these are inseparable to
 19 electorate. Right now voters are made slaves in the hands of reigning party. That's
 20 why its proper time to rename Bangladesh in any adjective other than democratic
 21 republic.

24 Findings and Suggestion

25
 26 The constitutional name of Bangladesh i.e. the People's Republic of
 27 Bangladesh is not matched with the current reality of Bangladesh polity. The head
 28 of the state is not the choice of the electorates since MPs electing President are not
 29 the choice of people. Reason lies in the fact that voters were barred from casting
 30 their consent in 10th and 11th national polls. Democracy where electorates have say
 31 in the making and unmaking government is absent in Bangladesh since 2014.
 32 Democracy one of the four pillars of Bangladesh constitution is enchained in the
 33 hands of Sheikh Hasina, Awami league Chief and Prime Minister of Bangladesh.

34 Enjoyment of fundamental rights by electorate is not prevalent in Bangladesh.
 35 Rule of law is explored when ruling party means but electorate are out of its ambit.
 36 Judiciary is for the ruling party not to do justice to common masses/electorate. Job
 37 is not for citizens or qualified persons. It is given to pro regime person qualified or
 38 not. Precarious fact in respect of Bangladesh is that civil society advocates for the
 39 corrupt, dishonest, white color criminal and political robber. In some cases when
 40 some members(civil society) are seen to speak for nation ie peoples betterment out
 41 of reason ruling party (AL) brand them unwanted and ask all to boycott. Division
 42 in civil society is fatal for democratic republic and electorate of Bangladesh. All
 43 the facts portrayed in the findings are proven subjects. As a fellow citizen having
 44 little academic wit researcher can say Bangladesh is riding on back gear looking
 45 for materialization of BAKSAL(dream of Sheikh Mujibur Rahman) one party

1 authoritarian fascist rule which buried spirits of liberation war and democracy,
2 republic and reason.

3 In order to overcome this environment researcher prescribes the following
4 steps for restoration of a rational people oriented polity in Bangladesh:

5 Since 2009 permanent executive and members of armed forces perhaps fail to
6 identify the difference between government and republic. These two pillars of
7 republic have become loyal to the evils of temporary executive and party in power.
8 Judiciary protector of the constitution and the people for unknown reason gives up
9 its constitutional responsibilities to the political executive and Awami League
10 (ruling party). In such way if analysis is made it reveals that every constitutional
11 body and pillar of republic resigns its respective responsibilities and became a
12 sham in the hands of temporary executive and ruling party. Thus the first
13 recommendation to over come this abnormal wild political system these
14 constitutional institutions along with the armed forces must have to give up their
15 slavish loyalty towards political executive and Awami League (ruling party) and
16 allegiance towards Bangladesh republic has to be reestablished. However these
17 will cooperate with the temporary executive so far it (government) works within
18 the framework of the constitution and law.

19 Permanent executive must be manned by efficient and rational candidates
20 chosen in a competitive public examination on the basis of performance and
21 efficacy not on the basis of loyalty towards the party in power. Members of armed
22 forces are to be recruited following the same criterion.

23 Appointment to the constitutional institution has to be made on the basis of
24 honesty, sincerity, efficiency, capability and experience of the person not on the
25 basis of gravity of allegiance towards party in power.

26 Promotion in bureaucracy as well as armed forces has to be given on the basis
27 of professional performance and eligibility of the person concerned not on party
28 affiliation.

29 Consent of the electorate must be guaranteed and ensured through free, fair,
30 credible, transparent and peaceful environment. Government in power must prove
31 her legitimacy in running the administration.

32 Government is a trustee of the statehood. Where government fails to carry out
33 the duties and responsibilities of trustee in discharging her vested tasks she should
34 leave the trust and allow new one more efficient and dutiful to materialize that
35 goal. Specifically speaking temporary/political executive should not treat herself
36 as the owner of the state.

37 Adopting and maintaining secularized political culture in every sphere of
38 statehood starting from family to head of the state.

39 Republic and democracy is not the voice of the government and the party in
40 power. It is so only when electorate/people of a territory believe and realize in their
41 day to day life. Election commission is entrusted with the duty of measuring
42 peoples' right and correct opinion. EC must act as a part of the republic, not to be
43 used as a tool to the desires of the government in power.

44 Armed forces must not be made up with partisan persons. Military must be
45 loyal to the voice of the people i.e. republic not to the scrupulous wishes of the
46 reigning government.

1 Student politics must be made compulsory in all public and private
2 universities. Democratic election has to be arranged to constitute student forum
3 with direct participation of the students in universities annually.

4 Rule of law has to be established and ensured by the policies and workings of
5 the government. Peoples'/electorate's query pertaining to violation of rule of law
6 has to be resolved by accurate pinpoint explanation. Rule of law must not be topic
7 of speech but be reflected in the policies and under takings of government.

8 Corruption in government, political parties, elected representatives, judiciary,
9 Election Commission, Anti Corruption Commission, educational institution, social
10 and economic field has to be uprooted by proper and meaningful means. Dubious
11 and partisan corruption drive against opposition and dissidents of government is
12 meaningless in this regard.

13 Promotion and transfer cases in law enforcing agencies specifically Police
14 and RAB have to be brought under the jurisdiction of District Judge.

15 Extrajudicial killing and forced disappearance must be stopped and all
16 starting from mastermind to executor involved in these heinous and barbaric cases
17 must be brought to justice setting up special courts.

18 Independent, fearless, bold and authentic news media must be established and
19 explored where reality of the politics, social and economic aspects will be reflected
20 not the lies and untrue facts and events of the government and political parties.

21 Scarcity of moral and ethical values and lust for becoming rich and powerful
22 in short period in society give birth to all these evils. There is no other alternative
23 but to imbibe, nourish and follow moral and ethical values in individual and social
24 life to overcome these rubbishes of political, social and economic life of the
25 country Bangladesh.

26 27 28 **Conclusion**

29
30 People's government, people's interest, people's welfare, people's demand,
31 people's wish, people's desire, people's dream, hopes and aspiration are all bogus
32 assertion and rubbish talking of the authority (temporary/permanent executive)
33 right in Bangladesh. People's consent i.e. legitimacy of the government to her
34 subjects is immaterial in the context of ruling government of Bangladesh.
35 Therefore secularism, rule of law, republic, welfare state, justice, equality are
36 absent in the governance in Bangladesh polity. The concept of people's
37 participation and representation are deserted of by the devils occupying the throne.
38 All constitutional institutions are manned by diehard party followers who have no
39 loyalty towards the republic but keep allegiance to the party leadership. Even non
40 constitutional bodies such as bureaucracy, law enforcing agencies, lower judiciary,
41 Civil Society have been channelized to the path of party policy. These members of
42 constitutional and non constitutional bodies orchestrated voteless 10th and 11th
43 Parliamentary elections as well local polls sidelining the role of electorate as
44 immaterial in making and unmaking government and local bodies in Bangladesh.
45 Likings and disliking of the party leadership and head of the government has been
46 branded as hopes and aspiration as well as mission and vision of the people and

1 nation who are deserted of electorate status. The aspects of republic, democracy
2 and electorate are buried in and vanished from Bangladesh. Thus this is the ample
3 hour to give Bangladesh a rational, proper and suited name after Sheikh Mujibur
4 Rahman obliterating the People's Republic of Bangladesh from the Constitution.

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7
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