

GOOD GOVERNANCE AND HUMAN RIGHTS: A STUDY IN THE CONTEXT OF BANGLADESH

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Received 05 November 2024 Received in Revised form 10 November 2024 Accepted 11 November 2024

Available Online 14 November 2024

ABSTRACT

Good governance and human rights are two interconnected areas of research that are essential for creating a just and equitable society. Through research, we can identify the factors that contribute to the promotion and protection of human rights and good governance, as well as the challenges that must be overcome to achieve these goals. Overall, research in this area plays a critical role in creating a world where every person is able to enjoy their fundamental rights and freedoms, and where governance is conducted in a transparent, accountable, participatory, and responsive manner. In today's modern politics and economy, the phrase "good quality governance" has gained popularity. The issue of governance and good governance has recently come to the forefront of the global development agenda. Absence of good governance can put a nation in great danger which would lead to several issues relating to human rights.

Keywords: Good Governance, Human Rights, Challenges and Policy Measures.

I. INTRODUCTION

Good governance and human rights are two critical areas of research that are intrinsically connected. Good governance refers to the process of governing a society in a manner that is transparent, accountable, participatory, and responsive to the needs and aspirations of its citizens. Human rights, on the other hand, are a set of inalienable rights and freedoms that every person is entitled to by virtue of being human. The concepts of human rights and good governance complement each other because they both place a strong emphasis on transparency, responsibility, accountability, participation, and sensitivity to the requirements of the general public. Because of the policies of good governance, people should be able to exist in dignity and freedom. Even if their objective is to give people more power, human rights cannot be respected and safeguarded in a sustainable manner without effective governance. Human rights and effective government both rely on one another [1].

II. OBJECTIVE OF THE STUDY

The objectives of the study are given below:

- a) To explain the concept of good governance.
- b) To highlight the idea of human rights.
- c) To find out the relation between good governance and human rights.
- d) To explain the effect of Absence of Good Governance on Human Rights and

- e) To find the solutions which can reduce the issues.

III. NATURE OF THE STUDY

This study involves a comprehensive review of the relevant literature on good governance and human rights. This research reflects the importance of good governance on human rights and problems which arise with the absence of good governance.

IV. RESEARCH METHODOLOGY

The methods, techniques, and instruments that researchers use to perform research are referred to as research methodology. It entails a methodical and rigorous process of planning, executing, and analyzing research studies in order to produce dependable and valid findings. This is analytical research which is based on the descriptive and detailed analysis found in journals and websites and books.

Concept and Components of Good Governance

The process of governance is the use of power to manage a country's social and economic resources for growth or establishing boundaries for the exercise of power and resolving conflicts over those boundaries are activities that are referred to as governance. The notion of governance is as ancient as governance itself. The characteristics

of good governance include predictable, open, and enlightened policymaking, a bureaucracy with a professional ethos, a government executive responsible for its actions, a strong civic society involved in public affairs, and everyone operating in accordance with the law. The concept of effective governance has been clarified by the work of the former Commission on Human Rights. The Commission listed the following qualities as the essentials of good governance in its resolution: Transparency, accountability, responsibility, involvement, and responsiveness (to the needs of the people). The idea of governance can be used in a variety of settings, including international, national, and institutional communities [2]. Democratic governance encompasses the respecting people's human rights and freedom, say in decision making, which effect their lives and holding decisions makers accountable. It attempts to make the economic and social policies more responsive to the people's needs.

Relation Between Good Governance and Human Rights

Human rights and good governance complement each other. The principles of human rights offer a set of ideals to direct the actions of governments and other political and social actors. Additionally, they offer a set of criteria for measuring these actors' performance. Human rights principles also influence the development of legislative frameworks, policies, programs, budgetary allocations, and other measures, among other aspects of good governance initiatives. But human rights cannot be upheld and safeguarded in a lasting way without effective governance. A supportive and enabling environment is essential for the realization of human rights. Political, managerial, and administrative systems tasked with addressing the rights and needs of the populace are included in this. It explores the links between good governance and human rights in four areas: democratic institutions, the delivery of State services, the rule of law and anti-corruption measures. It shows how a variety of social and institutional actors, ranging from women's and minority groups to the media, civil society and State agencies, have carried out reforms in these four areas [3].

Political, Social and Economical Dimensions of Governance in Bangladesh

Regarding medical ethics, societal appropriateness, and gender awareness. To be deemed appropriate, health facilities, goods, services, and programs must be person-centered, handle the specific requirements of various demographic groups, and conform to international medical ethics standards for secrecy and informed consent. Facilities, products, and

services must be scientifically and medically authorized. Governance has political, social and economic dimensions [4]. The Economic Dimension is the process by which public resources are effectively managed and sound policies implemented. People pay their respective taxes to the government and government spend for the wellbeing of the people.

Importance of Good Governance in Bangladesh

To improve its economic, social, and political situation, Bangladesh needs effective government. The government also works to improve the state of the private sector so that people can succeed in all positions. The government must address these issues and pave the way for the best solution. To achieve this, the first obstacle to good governance in Bangladesh must be removed, and that is corruption. Government must lower the cost of items used in daily life for the benefit of the populace. On top of that, there are some political interferences in the administrative system that must be eliminated. Additionally, the local government, particularly the union parishad, does not receive smooth funding in Bangladesh. This fund is not utilized properly and very often diverted to other purposes. So, ordinary people can't get efforts, if any, of ensuring good governance. Bangladesh has the necessary framework for effective governance, but it does not make full use of it. Because of this, "Effective democratic governance continued to be the elusive golden deer that that country assiduously sought but could not find [5].

Complications and Challenges

Plato, the Greek philosopher, coined the word "governance" to describe how to establish a system of control. The name comes from the Greek word "Kubernan," which means "to pilot or direct"(boats) [6]. Governance is a multifaceted notion that encompasses a variety of social, political, and economic issues connected to governing and management. It is an issue that is continually changing, and its meaning has evolved over time. Since Plato and Aristotle's time, running a government and an office has been referred to as governance. Administration took on a new meaning and depth as a result. Various governance theorists and foreign groups have interpreted the word "governance" variously. Despite numerous efforts, no unambiguous consensus on its definition has been reached.

Human Rights and Security

Government-centered to human-centered attitudes in security approaches must be changed for human security. Understanding new threats beyond traditional forms of violence, new political determinants of security (with a focus on people

and communities), and the connections between development, human rights, and security are all part of what it means to be secure as a human being. Placing the human being at the center of security concerns, human security aims to change the way security is provided. There are direct and indirect threats to human security. Direct security threats are ones that are knowingly presented by the government, a terrorist organization, insurgents, or militias [7].

Freedom of Expression and Security

Everybody has the right to express themselves freely. This right shall include the freedom to express ideas and hold beliefs without restraint from public authorities or regard for national boundaries. The protection of freedom of expression is essential for the democratic political process and the development of every human being. If there is any absence of good governance, this will hamper the freedom of speech of public which is the main presentation of a good governance and this will affect other prospects of a good government.

Corruption

Corruption and good administration have a two-way causative connection and feed off of one another in a vicious cycle. If sound administration standards and structures are not in place, the chance of corruption increases. Corruption, in turn, can make it difficult to implement or uphold good governance principles and frameworks. Corruption appears to be most closely linked with violations of the ideals of openness, accountability, and the rule of law. Corruption and poor administration, in the end, are security issues that undermine democracy, the rule of law, and economic growth.

Freedom of Media Speech

An independent and responsive press and media is imperative for democratic governance. A free press is considered as the fourth organ of the state which plays an "important role to ensure accountability"[8]. It implements the role of a public overseer and raising heated debates on economic policy, monitors election, mentions human rights abuse, political corruption and empowerment of woman. Of all the informal check on the abuse of Executive power, the press is certainly significant. "An unfettered, virile and professional press is central to democratic governance." [9]

Lack of Women Empowerment

The introduction of women's quotas in many nations reflects the significant international focus on ensuring an equitable representation of men and

women in democratic institutions. However, there is growing recognition that quotas alone won't guarantee that women's concerns are heard. There are two explanations for this. First, despite increased participation, women continue to be largely marginalized in patriarchal political structures, making it challenging for them to be heard. Second, it cannot be assumed that female politicians prioritize or even recognize the needs of other women. Women can be divided by a wide range of factors, including class, race, religion, socioeconomic status, sexual orientation, and disabilities [10].

Poor Economic Growth

Poor governance has a significant negative impact on a nation's per capita growth. Since World War II [11], countries in Africa have been most affected by this. When exposed to signs of poor governance, a country's economic growth is significantly impacted, though the severity of the impact depends on the specific indicators. Poor economic growth has been associated with low regulatory quality, ineffective governments, and unchecked corruption [12].

Improper Election System

Political instability or frequent government change are both causes of bad governance. It has been demonstrated that unsteadiness in political systems, such as democracies, is related to ineffective leadership. There is a good saying, "Governance by the representatives of the people cannot be effective unless these representatives are truly elected, reflecting wish of the people" [13]. So, if the proper election is absent, there can't be any good government and thus will affect the future election also.

V. STRATEGIES TO PROTECT GOOD GOVERNANCE IN BANGLADESH

A democratic government must have an effective executive branch, a working legislature, an independent judiciary, and a separation and balance of powers that is effective. As a result, good governance cannot exist without strong democratic structures. The absence of political agitation in universities and colleges is a sign of good administration. It indicates that professors and teachers are qualified, accredited, and driven to teach on a full-time basis as opposed to merely gathering salaries or giving one-on-one lessons outside of the classroom. It implies that business leaders can concentrate on expanding their companies while safeguarding their assets from intimidation and blackmail [14].

Human Rights and Security

Good governance is a notion with two facets. The first factor has to do with the type of government, and liberal democratic governance, which adheres to ideals like propriety, transparency, participation, effectiveness, accountability, and human rights, is the finest example of this. The second one focuses on how effectively the government operates in battling corruption and whims in order to defend the fundamentals of sound administration. The idea of effective governance and human rights are closely related.

Increasing Economic Growth

Our GNP currently range is 6.9 [15]. Over the years, it was not like this. Sometimes it was up and sometime it went down. To keep the people happy, this rate should be always in the up direction until we go on a stable condition as a nation.

Freedom of Media speech

The fact that both print and electronic media are highly independent is another advantage of Bangladeshi governance. Without any interference from the government, the nation's approximately 26 newspapers [16] and 38 TV channels [17] are all in operation. In addition, BTV and Bangladesh Betar continue to serve as the government's spokesperson. Bangladeshi viewers can unrestrictedly access a variety of news networks like BBC, CNN, Al-Zazira, etc.

Women Empowerment

Our women have become more independent over the past ten years thanks to a variety of government efforts, including free education up to the intermediate level, a monthly stipend for female students, programs to educate the elderly, etc. Women play an important role in local government organizations, collaborate with many government agencies. Gender disparity is a significant impediment to effective administration and human rights. Women's rights are frequently marginalized and ignored, which can lead to discrimination, aggression, and restricted possibilities.

Anti-Corruption Activities

Good governance initiatives in the fight against corruption depend on concepts like accountability, transparency, and participation to shape anti-corruption measures. Initiatives might involve setting up organizations like anti-corruption committees, developing systems for information sharing, and keeping an eye on how governments

spend taxpayer money and carry out their policies. Corruption threatens both sound administration and civil rights. Corruption can result in a lack of accountability, misuse of power, and unequal resource allocation, all of which can have a detrimental effect on the enjoyment of human rights. Civil society groups are crucial in supporting good administration and human rights. They can keep an eye on government activities, inform the public, and advocate for policy changes that support human rights.

Rule of Law

When it comes to the rule of law, human rights-conscious good governance projects reform laws and help institutions like prisons, courts, and legislatures carry out the law more effectively. Good governance is important for human rights preservation and advancement. Transparency, responsibility, involvement, and the rule of law are characteristics of good administration. These concepts are critical for guaranteeing respect and protection of human rights. Human rights are inextricably linked and inseparable. This implies that all human liberties are equal and should be treated accordingly. An infringement of one right can have an effect on the pleasure of others.

Policy Measures

To safeguard basic human rights and ensure social justice and equity, the rule of law should be established within the community. To that end, the judiciary should be kept separate from the administrative branch, with the Supreme Court in charge of all civil and criminal courts. Government's political will must be made clear in such a way that bureaucrats will not dare to disobey a minister's command. Radio and television should be granted autonomy right away for the transparency of the government fabrics. Private TV station operation ought to be permitted. All restrictive regulations pertaining to the press should be abolished, and they should be permitted to self-regulate using a code of ethical conduct. The percentage of corruption in the community must be kept to a minimum. To achieve this, the Anti-Corruption Commission and other law enforcement organizations should be strengthened with sufficient personnel and funding, as well as given freedom and support to carry out their assigned tasks [18].

Institutional Measures

In order to conduct elections both locally and nationally without fear or intimidation, the Election Commission should be sufficiently autonomous. With the involvement of all political parties, the national parliament must be made functional and relevant as a venue for political debate and decision-making. The opposition should be allowed a fair chance to participate in the parliamentary decision-making process. By removing all obstacles that still stood in the way of the judiciary's independence, it should be made truly autonomous and effective. The local authority should be given full autonomy, sufficient financial resources, and maximum power devolution. Government interference must be removed from local administration. It is urgent to establish a section of the Ombudsman that will serve as perpetual watchdogs against improper administration, excessive red tape, and ineffective bureaucracy [19].

VI. CONCLUSION

A crucial component of Bangladesh's overall growth is good governance. However, Bangladesh's present level of governance is appalling because the nation severely lacks nearly every aspect of good governance. The political elite in our nation, who are largely responsible for good governance, have a very localized mindset and are hesitant to put up with opposition. Due to these facts, Bangladesh's good governance still exists as a fragile plant that seriously impedes the socioeconomic growth of the nation. In light of this situation, encouraging good governance necessitates significant changes in the national political structures as well as a fundamental shift in the mindset of the populace and the leadership. Overall, the study demonstrates that effective administration and human rights are inextricably linked, and that attempts to support one must also consider the other. By supporting effective governance, we can build a more just and equitable community in which human rights are respected and safeguarded for all.

REFERENCES

- [1]. Badrul Hasan, Munira Sultana, Md. Nazmul Hasan, Good Governance in Bangladesh: Problems and Prospects, *UITS Journal*,3 (2022) p.22
- [2]. Nath, D.M. (2004) *Guide lines for Good Governance*, CIRDA, 2023 Dhaka
- [3]. Supra note 1, p. 29
- [4]. <https://www.gdrc.org/u-gov/3-dimensions.html> (Accessed 22 Feb 23)
- [5]. Khan, R. Z. (2002) '*Decentralized Governance :Trials and Triumphs*' in Jahan, Rounaq , Bangladesh: Promise and Performance UPL, Dhaka, p. 107.
- [6]. S. Motaghi, A. Mottaghi, D. Pletnev, E. Nikolaeva, I. Kapkaev, *E3S Web of Conferences* 14020, 175 (2020)
- [7]. A.I.Xavier, *Human security perspectives* 7(1) (2010)
- [8]. Muhith, A. M. A. (2001) *Issues of Governance in Bangladesh*, UPL, Dhaka, P. 37.
- [9]. Bangladesh: Financial Accountability for Good Governance, A World Bank Country Study, The World Bank, Washington D.C. May 2002, p. 73.
- [10]. <https://gsdrc.org/topic-guides/gender/gender-and-governance/> (Accessed 28 Feb 23)
- [11]. Osborne, Evan, "Measuring Bad Governance". *The Cato Journal*. **23** (2004) 403–422.
- [12]. Katsina, A. M. , 'Trend analysis of poverty and urban crime in Nigeria since 1999', *International Journal of Arts and Commerce*, 1(2013)113-130
- [13]. Ahmed, M. (2002) *South Asia: Crisis of Development*. UPL, Dhaka. pp. 247-248
- [14]. ADB, *Governance in Asia: From Crisis to Opportunity*, Asian Development Bank, 1998
- [15]. <https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?locations=BD>
- [16]. https://en.wikipedia.org/wiki/List_of_newspapers_in_Bangladesh
- [17]. https://en.wikipedia.org/wiki/List_of_television_stations_in_Bangladesh
- [18]. Supra note 1, p. 42.
- [19]. Ibid.