ROLE OF LAW, MEDIA AND INFORMATION IN THE HOLISTIC DEVELOPMENT OF BANGLADESH

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The relationship between economic and legal development on the one hand and good governance and rule of law on the other is a complex and complicated issue that deserves a comprehensive approach to many areas of standard of living. Qualitative and quantitative changes in many areas of standard of living and economic development are prerequisites to any sustainable growth of any country.

Development of human capital [1], infrastructural development, environmental sustainability, social and cultural cohesion overall accessibility to health care [2], education and social safety-nets are the perimeters through which we can examine the socio-economic development of concerned people. Overall economic development may be contributed by various national policies and their implications to increase GDP and per capita income of the people. However, the growth indexes say in isolation or taken together cannot reveal the real trend of economic, and social development, and the growth indexes cannot reveal the matter of the creation of national wealth and its distribution among the masses.

According to IMF and World Bank estimates Bangladesh ranks as the 58th largest economy in the world in terms of GDP. Despite its relatively modest GDP standing, Bangladesh is considered to be a developing country and ranks amongst the poorest in the world [3]. About 72 percent of the urban population concentrated in the two major cities, Dhaka and Chittagong, the rise in consumerism is most apparent in these areas. Estimates suggest that 80 percent of the total sales of consumer durables are in Dhaka and Chittagong [4]. Bangladesh is the seven largest countries in the world in terms of its population and now has been treated as N-11 after the BRICS countries [5]. However, without some commendable progress in legal arenas such as making suitable laws and their appropriate execution, speedy resolutions of all corporate and financial disputes, and quick and transparent transfer of properties some vital sectors of Bangladeshi economy may suffer irreparable loses. Like the infrastructural development, improvement of legal mechanism can now be regarded as the most important pre-condition for a sustainable growth, a stronger economy, and pro-people system of governance. Why the issues related to legal mechanism have been ignored so far? Is the
political uncertainty and instability a cause by itself for economic backwardness? Why the avenues such as ADR and Industrial or International Commercial Tribunals have not been explored and introduced widely? Why regulative bodies are so ineffective to meet the demand of the day? Why legal pluralism has remained so obscured to resolve so many diverse patterns of conflicts? How is the British colonial legacy a part of our legal and economic problems? How Muslim legacy might be helpful for strengthening a comprehensive legal mechanism on the one hand and different system of dispute resolution on the other? How can we be beneficial from the ongoing global and regional economic integration? How a strong and honest media can help us to promote our economic interests in view of eradication of poverty, illiteracy, and white collar crimes. This paper is an attempt to find some creditable answers to some of the questions raised above.

History of Development and Rule of Law

During 1960s and 70s countries like Indonesia, Pakistan, Egypt and Nigeria had been regarded as the model of economic development in the 3rd world countries. However, during 1990s all these countries and many others have entered into an era of economic crisis. Downturn in the economic trend in the south-east Asian countries had been observed as a big signal of unsustainability of economic growth.

At the outset of 21st century, many 3rd world countries have started an uneven competition with the developed countries of the west. Countries like Japan, Russia, Brazil and South Africa have been trying hard to be competitive in the world market. However, countries like China and India had apparently become the big winners in the development race. In this backdrop, a country like Bangladesh has been ranked 110th out of 117 countries in 2005 and 2006. This was very encouraging news for Bangladeshi living anywhere of the world.

Economists Nobel Laureate Dr Amartya Sen has established through his research findings that there has never been a famine in any country that has been a democracy with a relatively free press. There is no shortage of food but problem of distribution and knowledge of excess and shortage of good in different location. The free press can identify the shortage and excess. According to data collected International Finance Corporation (IFC) for Doing Business Index 2013 starting a business there requires 7 procedures, takes 19 days, costs 25.1 percent of income per capita and requires paid-in minimum capital of 0.0 percent of income per capita. Bangladesh stands at 95 in the ranking of 185 economies on the ease of starting a business. Bangladesh made starting a business more
cumbersome by implementing additional process to verify the stamp duty.

Absence of consistency between and among the inflation, credit growth and investment is another problem to make the country lagged behind. Though is said that the interest rate for the loanee is about 8-9 percent, he has to pay about 14-17 percent interest to the bank or any kinds of financial institutions practically [6]. The country which requires to protect the citizen from the malnutrition, inflation of the food products is obviously removed. Ensuring the availability of the food, removing the inconsistencies among the inflation, credit growth and investment are essential to remove the poverty whereas the availability of the human resources and other natural plus by-product resource resources may be helpful for fulfilling the objective i.e. removal of poverty.

Developing the private sector collecting proper information from various sources may accelerate the way of reducing the poverty [7]. If any company needs to be established requires information how the capital management may be generated for creating the confidence of the people, the employment opportunities for the people and creating environment for the people’s lives.

In terms of demographic development, Bangladeshi population has doubled during four decades of its existence. In numerical terms, Bangladeshi nation had composed of 75 million in 1971. Through a bloody war against the Pakistani brutal army, we have achieved our independence that set forth the economic development as the first priority of the nation. Many observers were very much skeptical about the sustainability of economic growth of Bangladesh. Bangladesh received a very bad name as "Bottomless basket" and or International Basket case since 1971 [8].

Some observers predicted a State of perennial aid dependence, while others referred to it as a test case of development [9], implying that if a country with the myriad problems and challenges of the magnitudes that Bangladesh was facing could make development happen, and then any country could. The doubts and doubters have been proven wrong. With sustained growth in food production and a good record of disaster management, famines have become a phenomenon of the past. Bangladesh’s impressive record of economic growth and social development has been achieved despite apparently poor governance [10].

First decade of the 21st century has improved for Bangladesh a stage for many trials and errors that need to be followed up through the economic index of development. At present, we are a nation of 160 million people. Not less remarkable the size of Bangladeshi diaspora in many other region of the world including the Middle-East. More than 75
million people of Bangladeshi nationals live in foreign countries and earn about 10 billion dollars as remittance to the country. The official recorded migrated Bangladeshi numbering 5.4 m and 6th in top countries and within top 10 countries. Bangladesh received US$111 b in 2010 and 7th out of top ten recipient countries [11].

Bangladesh ranks second place after China in manufacturing garments goods that brings about 5 billion dollars of foreign currency in our economy. These two indicators could be achieved because of the demographic features of our nation 60 percent of which still under the age of 25. Human capital and recent demographic changes usher a new hope as well as pose a great challenge for sustainable economic development in the future. Nevertheless, current trend of economic growth of Bangladesh signify a rise of a more strong and viable economy in future days.

The Goldman Sachs Economic Research includes Bangladesh in their composite projections (next -11) in respect of the 22 Largest Economies of the world in 2025 and also in the largest economies in 2050 based on US$ GDP, real GDP growth, income per-capita, international demand and exchange rate paths for each of these economies.[12]. Despite the gloomy predictions and the widely shared pessimistic outlook, Bangladesh has made significant economic and social strides in the last three decades or so of its existence: it is no longer considered a basket case. Bangladesh is thus an outlier in cross-country comparisons relating governance to economic growth [13].

**Legal Reforms and Socio-Economic Development**

Bangladesh has many law and regulation but an ill-regulated country [14]. We are a nation of a bit more than four decades old in terms of State-building. In this information age and knowledge based economy, State building in an art as well as the reflection of the interaction between various professional and technological sectors. None of these can be achieved without the proper regulation of a matured legal system. We can be proud as well as shameful for our legal history in terms of its success and failure to reden the grievances of different systems of our population.

We can easily blame our colonial legacy and utter failure of Pakistani legal system in our beloved country. However, we cannot escape from our responsibility in regard to reform our legal system and make it pro-people, prudent, effective and implementable. Most often we hear that we have enough laws to regulate our productive activities and to
make our economy sustainable. This is completely a mischaracterisation of our present day legal system that is by and large based on ad-hoc based policies those are either contradictory or disjointed.

Craftsmanship in lawmaking effort in a combination of art, skill and highly professional and creative work are that must be thoroughly articulated in terms of the Paradigms of economic dynamism and social cohesion. Mere political rhetoric can hardly solve any legal issue that deserves serious attention on the part of law-makers.

So far during last four decades we have been engaged in rhetorical discourse that has very little to do with the progress of legal mechanism to address dispute and conflicts of all kinds. As a result, we indulge in political discourse that led us in changing forms of government rather than reform laws making national and local institutions accountable to people concerned. Moreover, constitutionally established national bodies have become the instruments to be used by the partisan politicians, who are mainly concerned for their vested interest rather than promoting and protecting people rights.

Whatever progress we have made that has been contained in the arena of political rights. All other important rights such as economic, social and cultural rights along with many civil rights have been ignored from top to bottom of our system of governance. Inviting and engaging your political opponents and adversaries, you may succeed to draw the attention at masses who might be interested in fighting with political enemies perceived in the line of ideologies, religions, political ideas and historical agenda. But such kind of fight hardly can bring about any sustainable economic development that reflects the hopes and aspirations of common masses.

*Unplanned Urbanization and Industrialization: Impact on Sustainable Economic Growth*

Capital accumulation and profitability are the two dimensions of keeping productivity running and consumption growing making a wider spectrum of population involve in business and trade activities. Urban planning is an essential component of modern State building that cannot be achieved through hazards industrial establishments. Urban planning is a sustainer and manger of industrial growth and output. However, without any planned urbanisation we can witness a sizable growth in industrial products because of their marketability and practicability.

Urban planning is a product of Common or Public Good in nature, but also a pre-condition to sustainable economic growth. About 72 percent of the urban population concentrated in the two major cities,
Dhaka and Chittagong, the rise in consumerism is most apparent in these areas. Estimates suggest that 80 percent of the total sales of consumer durables are in Dhaka and Chittagong [15]. None of these problems can be solved without a strong regulatory intervention on the part of governmental agencies, which should not engage in business and commerce directly. By following a decentralised policy nation-wide we as a nation can hope to have maintainable and limited government conducive to the economic growth and its rapid progressive development in pursuance of pulling out more people from the vicious-circle of poverty, indecency, corruption and harmful manipulation of laws. From a successful implementation of decentralised policies we can hope for better rule of law, public order, productivity nation-wide, good habits of consumption and proper distribution of wealth and means of production and living.

Without a stronger regulative power of laws, we cannot boast up our industrial sectors as well as maintain our ecological surroundings and overall livable environment. Neither a single law nor a particular branch at such as industrial law, commercial law, environmental law, even the constitutional law cannot send right signals to the entrepreneurs and wider segment at consumers to become habitually obedient citizens of the country. Without a huge number of law abiding citizens, laws may remain confined in the Black letters of law having very little to do with the effective regulation of human behaviour, productivity and wage and means of consumption.

In the name of enacting new laws whatever we have done so far is either a lip service or a scattered attempt to write or re-write some rules here and there without giving much thought to the scope and utility of original jurisprudential intent without which we cannot hope to craft a law with specific purposes and objectives addressing the demands of the people in general and city dwellers in particular.

Unplanned urbanisation not only makes many cities of our country like the shanty-town that caters the need of wild-capitalism. While the annual population growth rate is 1.7 per cent at national level, the percentage of urban growth is increasing faster and it is expected that more than 50 per cent of the population in Bangladesh will live in urban areas by the year 2025 [16]. As a result, a number of shanty-town dwellers has increased dramatically making many parts of king cities unliveable.

The migration of the rural poor to the urban centres has caused a direct transmission of rural poverty and backwardness to the towns, engendering the process of ÒuralisationÓ of the urban areas [17]. Moreover, this trend invites poverty-stricken rural masses to flop into the
township those cannot provide minimum amenities to the people to live a healthy life conducive to the industrial development. As a result, we are keeping our rural areas very backward without proper health-care, sanitation system and diverse form of productive engagement. On the other hand, rise of urban population making economic growth either hazardous or unsustainable in the long run.

Regulative function of law is not a one dimensional tendency of restraining people from their activities. A major function of law is to facilitate creativity, productivity and entrepreneurship of wider segments of population. In doing so law trends to create an atmosphere of fair competitiveness in a transparent way so that competitors cannot create any artificial hurdles or barriers for others. Keeping a congenial atmosphere of competition and encouraging more people to come forward with their time, talent and resources in the market place to involve themselves in various productive and commercial activities. That is the reason the rule of law is of paramount importance for any speedy and progressive economic and social development. Behind the scene, political dynamics play their role to ensure a stability and certainty so that a regular citizen or person feel secured and safe in his or her endeavour in participating and creating as well as sharing goods and services to be distributed for the welfare of the society.

Without individual initiative ultimately we all suffer from the lack of initiative or presence of bribe as an institutional system. Prime goal to create more goods and services should not be confined to making profit only. The ultimate objective of creating a prosperous economic system is to facilitate better service and consumption system for the masses. Profitability of and accessibility to necessary goods and services are the two opposite sides of the same coin. Here regulative function of law goes between the amount of practicability of the producers and accessibility of the consumers in a way so that both parties can count on the honesty, sincerity and decency of each other.

Law can only perform its oversight duty to look after the external of behaviour of the concerned parties. Law is limited by its own selective areas of intervention of the activities of the competing parties or authorities. Here role of law is directed towards the objectives of rule of law. That cannot be all pervasive or too rigid because of its inherent limitations of being the instrument of external behaviour of human beings.

In establishing rule of law, laws should be precise, concrete and predictable in discharging or delivering their duties. Laws need to take care of their health in a way that must concern people automatically does not feel alienated from the regulative directions of the rules they contain.
Legal rules must be cost-effective of laws without a fear of legal or judicial hazard that cannot be mitigated without spending much time and unnecessary cost involved in the process.

Some of impunity is a direct threat to the overall maintenance of rule of law. Richer and powerful segment of our population either does not care about the laws or easily can by-pass the legal injunction these are either outdated or obsolete or even harmful for the smooth development of a particular economic activity. Disjointed laws cannot answer many burning questions that need to be resolved immediately. This is the reason why we need to undertake serious efforts to reform laws making them beneficiary for the conflicting parties. Laws by themselves should not fear above conflicts of interested parties in any disputes. But conflicting parties should take notes of legal norms and injunctions in any particular area of conflicts, such as social, economic, personal and public.

Climate and poverty reduction issues are integrated. Bangladesh’s geography makes it one of the most vulnerable countries to climate change. It is dominated by flood plains, with most of the land less than 12 metres above the sea level [18]. The climate change vulnerability of Bangladesh’s poor is well recognised, with 70 million people likely to be affected by floods annually by 2050 [19]. Without taking note of public welfare and the issues of environmental protection, laws cannot ensure a wise exploitation of natural or mineral resources for the purpose of sustainable economic growth. Politician and businessman with a sense of impunity would definitely cause harm to various kinds of national interest and public goods.

Thus, we can argue that economic development cannot be directed only to the practicability of entrepreneurs. With economic development we need to nurture the elements or factors contributing to social and cultural standards of our citizenry. This is the reason we find civil & and political rights are closely intertwined with economic, economic, cultural, and religious rights. Laws with a tunnel vision may need these interconnectivity of various rights and their progressive implementation for raising the standard of living in terms of intangible gain such as good moral character, sound ethical behaviour and habitually an obedient mind that is quite respectable to the rights of others.

**Inter-relationship between Economic Development and Corruption**

We cannot expect that economic development can be achieved without exploitation of natural and mineral resources. However, we need to use our all kinds of natural resources wisely so that ecological imbalances would not ultimately make our economic progress meaningless.
Though the size of economy of our country is rather small, Bangladesh has positive prospects to be developed and ranked within the largest 30 countries having healthier economy if the proper and appropriate resource management either human or property is possible within the next decade. Poverty rate may be lessened about half of the present situation if the economic pattern, governance, leadership, policy making, growth, remittance, and credit have been made pro-poor. Despite the Banks or any financial institutions having enough institutional capability, they do not agreed to give and supply the loan to the poor or the individuals rather than business magnets even enormous businessmen are also complaining that they are not getting the loans from the banks.

Speedy economic growth would always bring some conflicts and tensions between competing parties. Laws cannot intervene or mitigate all disputes between the parties resorting to the legal rules in their favour. Thus irregular and corrupt practices are kind of inevitable by-product of industrialisation and urbanisation. Irregularities are either to be ignored or underestimated for the sake of economic benefits through infrastructure building and other facilities conducive to the economic development.

Corrupt practices are violation of legal rules may remain as exception to the norm of development. However, endemic corruption may also become as a norm rather than exception. In a country like ours, we can observe that kind of malpractices all around that cannot find any just or equitable solution. That is the reason we need to combat big corrupt groups engaged in systematic violation of rules of business. Most dangerous phenomenon we find in this context in impunity of law breakers as a group or individuals attached to the ruling elite that by it turns has become monstrous in our public, social and economic life. Factors that may have contributed to such disappointed result growing deficits in delivery against the government’s electoral pledges against corruption and a procession of high profile corruption allegations like Padma Bridge, Railway scam, stock market and destiny [20].

Corruption is a major impediment to development and democratic governance. It weakens the key institutions of the national integrity system, and prevents rule of law. Corruption erodes public trust in government, and breeds injustice. By distorting the political and economic structures and weakening the social fabric, corruption can also be a potential source of insecurity of the state. Corruption is also increasingly linked to violation of human rights and spread of the culture of impunity [21].

Bribe as a system of corrupt practices is now very widespread in our system. This systemic malice cannot be phased out overnight. We need to
prioritise our agenda of combating corruption. For example, we need to take care of our judicial and higher education system in a way so that neither the judiciary nor the intellectuals of public eminence can indulge in any way of financial corruption. Because the corruption in all respects of our daily life i.e. economic, social and cultural fields is constant from which recovery is essential for national development by hock or crock. Bangladesh ranks 13th position provided by the Transparency International Index whereas the countries more corrupt than Bangladesh are mostly rogue States or the failed States. So overcoming those countries in this competition is immaterial or the justification of our county’s position will be dangerous.

The justice delivery system is not incorruptible at all. It also happens that for previous enmity or property disputes, cases are filed against innocent persons. Lawyers, in a common submission before the courts, find their clients have been falsely implicated with a counter case. In some instances, the police record cases against the informant in lieu of the accused person [23].

The Corruption Perception Index (CPI)- 2012 has been prepared on the basis of the data collected from 13 international surveys whereas the data for Bangladesh has been collected from the seven sources i.e. Bertelsmann Foundation Transformation Index, Economic Intelligence Unit Country Risk Assessment, Global Insight Country Risk ratings, Political Risk Services International Country Risk Guide, World Bank Country Performance and Institutional Assessment, World Economic Forum Executive Opinion Survey and World Justice Project Rule of law Index and these institutions surveyed during January 2011 to September 2012 [24].

In 2007, the Government of Bangladesh acceded to the United Nations Convention against Corruption (UNCAC) and prepared a comprehensive report on the domestic institutions that could support implementation of the Convention. But the State institutions such as Parliament in almost non functioning, the Executive, the Judiciary, Public Services, Local Government, Attorney Services, Public Service Commission, Election Commission, Anti-Corruption Commission, Office of the Comptroller and Auditor General, etc. are directly or indirectly under control of government. The Office of the Ombudsman is vacant despite legal bar to appoint Ombudsman. The law does not permit anti-corruption commission to act independently. The Public Service commission is not independent; Attorney General is not law officer of state but act as officer of government. The authority of local government is shared by government officials and Member of Parliament. These entire loopholes in laws provide the opportunity for misuse of authority
and corruption.

Freedom of media is to facilitate the transfer of information among the players in the game. The media can also provide an independent assessment of the development process. Pointing out the shortcomings of particular programmes can serve as an essential step toward making those programmes more responsive to the rule needs of the people being served. No other institution is as well placed as the independent press to act as a watchdog for bad governance and corruption. A closed media market, manipulated by either government officials or self-aggrandising millionaires, can lead to distortions. But if the media marketplace is open to new players and free choice, the truth will come in public. A free press is central condition for the development and maintenance of transparent and honest government and durable economic growth. The establishment of a strong, free and independent press sector is a necessary precondition to all real and durable progress in economic, social, and political development and stability [25]. The link between civil liberties and successful economic development is evident in all part of the world. The cases of recent development have demonstrated that countries like Indonesia, Poland and other Central European countries have demonstrated that new newspapers and other media outlet have blossomed in the aftermath of economic upheaval [26].

There is now a convincing body of evidence that demonstrates that a free press is a central condition for the development and maintenance of transparent and honest government and durable economic growth. Countries where corporations publish relatively comprehensive and accurate financial statements have better developed financial intermediaries than countries where published information on corporations is less reliable [27]. As the role of information technology in economic growth becomes larger and larger, promoting IT investments and facilitating effective use of IT systems are important not only for improving the competitiveness of Japanese industries, but also for the long term macroeconomic growth of the Japanese economy [28].

There are a number of constraints inhibiting freedom of the press in Bangladesh [29]. Article 39 of the Constitution of Bangladesh is titled "Freedom of thought and conscience and of speech". It states:

(1) "Freedom of thought and conscience, and of speech, is guaranteed."

(2) "Subject to any reasonable restrictions imposed by law in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence:

a. the right of every citizen of freedom of speech and expression; and
b. freedom of the press, are guaranteed.

According to Printing Presses and Publication Act 1973, publication of any newspaper requires prior written approval of the Head of Administrate District namely Zila. The Act also bars printing and publishing anything that affects interest of State and the Government of Bangladesh.

According to Section 124A of the Bangladesh Penal Code, a person can be punished with imprisonment for three years or fine if he expresses dissatisfaction against the Government and Section 505(b) forbids any report or Statement against the State the punishment of which is imprisonment for seven years or fine or both. According to Section 99A of the Code of Criminal Procedure, the Government can forfeit any publication if it is defamatory of the President, Prime Minister or Speaker of Parliament.

The Official Secrets Act of 1923 that bars public servants to provide to anyone any secret government plan, document, note, sketch, model, signal, information, etc. which are related to restricted places and which if made public could pose threat to the security of the State. The Governments Service Rules of 1979 also prohibits public servants to disclose official information to press or to non-official persons. The Right To Information Act 2010 passed for free flow of information but the conservative mind set.

Knowledge transmission and enhanced transparency are regarded as key ingredients of an effective strategy by development policymakers. Promoting good governance and development requires improvement of media capacity for reporting on socio-economic and development issues such as public health and education [30]. Developing countries saw development of journalism as a means for promoting economic development [31]. There are two categories of mass media in Bangladesh -print media and electronic media. State-run Bangladesh Television (BTV) has three channels -- BTV (Terrestrial), BTV World (Satellite) and Shongshod Bangladesh Television. Bangladeshi private satellite channels and foreign TV channels can be accessed even in smaller towns and their adjacent areas. Bangladesh Betar with its 12 regional stations has nation-wide coverage. Its external service broadcasts in six languages. Betar also lends air time to a number of international radio broadcasters. Five private FM radio stations are available in some selected urban areas and have become particularly popular among young listeners. Community radio stations (CRS) including a Community Rural Radio stationed in different areas of the country has potential to cater for the information and communication needs of the local communities. The
practice of journalism in Bangladesh is not free from "envelope journalism." A global assessment of bribery in the newspaper industry suggests that in Bangladesh there are wide-spreading financial irregularities in both print and electronic media [32]. Because of the level of adult literacy (43.1%) and the limited purchasing power of a large section of the population, newspapers circulate among a relatively small portion of the total population. Most newspaper readers live in cities, so rural issues are addressed only peripherally [33]. A study in 1995 revealed that overall, television viewers are increasing, but newspaper readers and radio listeners are declining. From 2002 to 2005, the number of TV viewers increased from 61 percent to 64 percent, while newspaper readers dropped from 26 percent to 24 percent and radio listeners from 29 percent to 22 percent [34]. Despite these trends, newspapers are likelier than electronic media to undertake critical and politically challenging in-depth reporting, and they reach opinion leaders [35]. Poor professionalism in every sector of public life also allows unscrupulous political leaders, judges, educators and businessmen to reap the benefits of corrupt practices. Here prudent rules and their implementation do not know any exception. In this front, craftsmanship in law making process and its execution through judiciary is so poor that hardly we can hope for any successful combating mission against corrupt practices of big business magnets or influential political leaders.

Role of Media: Rule of Law and Development

Freedom of Media means to facilitate the transfer of information among the players in the game meaning the players of the administration of the State providing an independent assessment of the development process showing the shortcomings of the particular programs such as executive, judiciary serving an essential step toward making more responsive information meeting demand of the true needs of the people being served. No other institution is as well-placed as the independent press to act as a watchdog for bad governance and corruption. Practically the distortion in such significant institution can occur if the media market is manipulated by either government officials or self-aggrandizing millionaires. Similarly if the marketplace is open to new players and free choice, the truth will be public.

Development may be accelerated by way of timely, reliable, comparable, and available information on social, demographic, economic, and environmental conditions and these factors are key issues for changing the poor countries' development. The media assists to
collect such information from various nationally produced statistics and such information assists the government’s daily administration and policy analysis; policy makers’ planning; business’s decision; and citizens’ possibility to develop the concept of the government accountability. So it can be said that the information provided by various media is the basis for evidence based posed policy decision and democratic society.

The private sector is crucial for economic development of the country and it needs reliable information on how society develops to make decisions particularly in the time of the investment by the company. We know that information provides a true picture on the present economic situation and future prospects of the society. It creates the confidence for investing more for the purpose of creating aspiration of the company for more investment especially in developing countries. More investment will lead to employment-creation and income-generation thus paving the way for poverty reduction and improvement of people’s lives. Economic Nobel Laureate Dr Amartya Sen have research finding that there has never been a famine in any country that has been a democracy with a relatively free press [36].

A free press is a central condition for the development and maintenance of transparent and honest government and durable economic growth. The establishment of a strong, free, and independent press sector is a necessary free condition to all real and durable progress in economic, social and political development and stability [37]. The link between civil liberties and successful economic development is evident in all part of the world i.e. Indonesia, Poland and other Central European countries where new newspapers have blossomed in the aftermath of economic upheaval [38].

A convincing body of evidence that demonstrates that a free press is a central condition for the development and maintenance of transparent, honest, and durable government ultimately the economic growth. Countries where corporations publish relatively comprehensive and accurate financial statements have better developed financial intermediaries than countries where published information on corporations is less reliable [39]. Information technology in economic growth when becomes larger and larger, promoting IT investments and facilitating effective use of IT systems become important not only for improving the competitiveness of Japanese industries, but also for the long term macro-economic growth of the Japanese economy [40].

Though it is stated that the Bangladesh press is free, the media cannot function properly because of the control of the government in the name of the censorship control. Article 39 of the Constitution of the People’s Republic of Bangladesh enunciated the provision for the
freedom of thought, consciences, and speech subject to reasonable restrictions imposed by law in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence and the right to me every citizen to freedom of speech and expression as well as the freedom of press are constitutionally guaranteed [41].

However, it is unfortunate that there is no guideline how the term ‘reasonable’ should be interpreted rather it depends upon the choice of the different stakeholders according to their different and wide range of diversity of choice. The Printing Presses and the Publications (Declaration and Registration) Act, 1973 said also the same issues to the article 39. Even the Penal Code 1860, section 124 A enshrined that a person can be punished with imprisonment for three years or fine if he expresses ‘dissatisfaction’ against the Government and section 505(b) forbids any report or statement against the punishment of which is imprisonment for seven years or fine or both. According to section 99A of the Code of Criminal Procedure, 1898 and the Government can forfeit any publication if it is defamatory of the President, Prime Minister or Speaker of the Parliament.

Here it is clear to us that media plays a significant role to flourish any information so that the people of the society may collect, dissect and utilise those information for their own purposes. If the information seeker is a businessman, he can utilise the information to invest his capital understanding the social formalities and social phenomena. Similarly to implement the laws information is necessary which is published by various print and electronic media. Information assists the judiciary to implement and arrange the judicial arrangement for ensuring the justice ultimately the Rule of Law.

Rule of Law and good governance is the foundation for achieving the sustainable development goals. Nations cannot expect economic development without proper functioning institutions of the governance based on the Rule of Law. At the core of our dark experience lies the ugly truth that there was an absence of transparency, accountability, public interest, and public responsibility[42]. To develop the judicial system for implementing the Rule of Law legal and judicial reforms proposed by the various countries because the policy of development is different from country to country as the culture, geography, political and administrative traditions, economic conditions and many other factors vary from country to country.

For example, the policymakers of the Bangladesh thought that Bangladesh could come out of its economic predicaments by following the socialist path of economic development just after the establishment of
the State of Bangladesh in 1971. But later on started in late 80's, and the major reforms in the early years include reductions of subsidy in agriculture; some measures in exchange rate adjustment, massive monetary reforms to reduce inflation and more de-regulatory measures to enhance the role of private enterprise [43]. The recent goal of Korean Government in areas of regulatory reforms is improving and enhancing the regulatory quality and is raising national competitiveness at the level of advanced countries [44].

Any kind of development in Rule of Law, economy is dependent upon the accountability, transparency, certainty, competitiveness, continuous improvement, efficiency, innovation, integration, evidence based decision making, shared responsibility. Such factors may be executed and implemented with the help of media. Though Bangladesh is a weak State, interlinks are thinner in terms of globalisation. Economy, culture or trade wise doors showed that the weakness in every aspect of Bangladesh is inherent. The various challenges faced by Bangladesh may be overcome by the determination of the systematic vision guiding strategic decision even in policy making level [45].

Bangladesh is expected to be developed because it has huge natural resources for developing itself through the proper channel. It is unfortunate that the evaluation of Bangladesh is not right in a sense that the Bangladesh is the appearance of a fractured entity rather than what is described as a failed state because of the mis-governance [46]. Either Economic Development or the development of the Rule of Law cannot be ensured by enriching the economy by collecting huge resources of natural or the artificial and enacting a lot of statutory laws respectively. For example: If an individual has Tk.20 and the value of the rice is Tk. is 20. Such individual may purchase this rice apparently. But he may not find this rice available if the stocking tendency of the shopkeeper cannot be stopped. In the same way if sufficient laws are available for preventing any crime.

However, the Rule of Law cannot be ensured only by these laws if the tendency to reach the output of the laws is not developed among the lawyers, judges, and other individuals involved with the Justice System i.e. lawyering for the poor or lawyering for destitute. Here if the Economic or Judicial development does not grow, media may play a great role by revealing this matter which may create public opinion and ultimately pressure on the public on each and every respect. It is fortunate that the media more or less plays such role in our country at all.
Rule of Law: Implementation of International Legal Instruments in Our Context

Apparently international laws are still in a weaker situation vis a vis national legal systems. The statement needs to be clarified in this age of globalisation. In this stage of globalised economy international legal regimes have been getting the upper hands in terms of national legal systems of many small and weaker States. After the end of cold war, many analysts and observers believe that UN systems would get stronger role at global stage. Unfortunately, that did not happen.

During cold war, the UN systems have functioned rather smoothly, though the UN as the only global institutions could not play a much stronger role in mitigating disputes and conflicts between sovereign role in mitigating disputes and conflicts between sovereign States. The demise of cold war era made the world a unipolar one making the US as its sole leader. However, this American leadership remained confined in military affairs predominantly. Under the umbrella of various international organisations such as WTO, World Bank, IMF, ILO and so forth, G-7 countries wanted to have a bigger stake in international trade and commerce failed. G-7 even could not develop as G-8 group.

Multi-national companies have started to capture a substantial stake in the global market and trade and commerce. And 40 percent of world trade has gone under the direct control of the multi-national companies. In this face of increasing challenge in global market, the States have started regrouping themselves in bigger economic blocks. Alarming example of this phenomenon is the emergence of G-20. Apart from this, regional integration such as EU put the global economic regimes at different settings.

Under the umbrella of the League of Nations, international laws were Euro-centric. Under the UN, international law theoretically though remains euro and American-centric, yet its effectiveness was blocked under veto powers of UN Security Council (UNSC). The bigger players of international law have lost their moral leadership in making international regimes acceptable to the majority weaker and smaller States. On the other hand, none of the economic grouping in the 3rd world and Muslim region could play any sustained role in enriching the international legal system. Because of their economic weakness, smaller and weaker States have started to comply with the directives of international order. However, such tendency of international compliance did not lead any country to a better economic fortune. Moreover, about 2 billion people out of 7 billion world population live very inhuman life. Another 2 billion have been barely surviving with basic necessities.
Under these circumstances, we need to examine how far we can go with the compliance of international instruments that are basically superceding national laws in many ways.

Bangladesh may serve as a global example to be analysed how much benefit we can get through our compliance of international legal regimes. Our national, legal and economic regimes are practically in horrible stage that does not demand any further clarification. Our main problem is not of the speed of economic development, rather our major challenges are how to bridge the gap between rich and poor. Another important challenge is how to stop the government-sponsored big corruption and ruling-1 party-led mismanagement of the country. Of course, in this context, money laundering is one of the greatest challenges we have ever faced before.

The aforesaid challenges cannot be made with national laws only. Here we need active help and support of international legal instruments and the big governments capable of implementing those laws in our context, as well [47]. It appears that we have been losing our State powers as a sovereign entity. But by redefining sovereignty and by inviting big foreign investments under stricter rules we can regain some of our sovereign features as a nation State.

Bangladesh being a geo-politically important country with a sizeable working force has already drawn the attention of regional big players and western powers of international politics. For India, it remains as ever crucial to keep Bangladesh under Delhi’s influence. For China, Bangladesh is not only a good trading partner but also a prospective ally in Beijing’s triumph in global market. For Washington, Bangladesh is a kind of balancing country go between China and India. Moreover, Delhi and Beijing, Washington also regards Bangladesh a potential strategic and economic partner. In this backdrop, Bangladesh has little scope to undermine or underestimate any foreign influence in its own domestic politics. How to minimise the influence of foreign powers on Bangladeshi politics is not merely a political agenda and discourse, but a legal challenge to be made with dignity and far-sightedness.

**Conclusion**

Bangladesh with a population of a hundred and sixty million is a serious case of national development, economic power house and social and cultural dynamics of a modern nation-State. Despite its small size, its territorial importance cannot be ignored. In terms of political development, Bangladesh moves from one crisis to another. However, in
terms of its economic growth it is a case of making some wonders from severe famine to self-sufficiency in food production, pharmaceutical industries and many other areas of small and middle size industries.

Despite its backwardness, in establishing heavy industries, in wider use of latest technological know-how and world standard infrastructure building, its achievements in manpower export and all kinds of garments apparels its achievements are quite notable. Bangladesh is now the second biggest exporter of garment products. Though in terms of volume, their garments export is still only a fifth of China; its prospect knows almost no bounds.

Crisis in political affairs has been reflected in various economic sectors, such as power production, urban planning, and industrial waste management, sanitation and low quality in education sector of all levels and overall mismanagement in the system of governance. Despite all these impediments, Bangladesh younger generations have been striving very hard to excel in their professional engagements. A very specific features this resilience of younger generation which constitutes about 70 percent of the working force, has been tested in various natural calamities and political instabilities.

Despite its good performance in terms of many growth indexes, it has been lagging behind to build a necessary infrastructure for achieving goals to be treated as a middle income country. Apart from weak infrastructure and poor higher education system, Bangladesh has been suffering from a very out-dated and inadequate legal mechanism that hardly can cope with the demand of corporate interests, resolutions of labour disputes, recovery of bank loans, and to maintain law and order situation to be conductive for further economic development, social cohesion and cultural enlightenment.

In the areas of consistent policymaking at State levels, decentralisation process in view of arresting speedy migration of rural people to the urban areas, creation of new jobs and higher standard of living for poverty stricken population. Bangladesh governments have been failing to deliver goods and services to the poorer segments of population irrespective of their ideological and political orientation. In the face of all these failures, along with many small size successful entrepreneurships, construction in housing sectors and acquiring ship-building technology, our achievements have proven to be remarkable and ushered tremendous hope in many other areas of productivity, creativity and improvement of service sectors.

Our system of governance is yet to flourish to be seen as transparent, cohesive and effective. However, in both print and electronic media, the achievements are so commendable that one can name Bangladesh as a
model for the speedy implementation of modern technology in disseminating news and views from every corner of the Globe. This process has been pushing Bangladesh towards a knowledge-based economy.

With further development in the areas of productivity, Rule of Law and system of governance, Bangladesh can hope for a better future in terms of economic development that may also in its turn contribute to the political stability, strengthening religious harmony, multiculturalism and sustainable political pluralism. Bangladesh as a whole is a crisis-prone country in terms of environmental and political considerations, but from the point of tendencies of economic growth, social cohesion, and cultural development it can turn into a prosperous nation in the region within next few decades.

Endnotes

1. Human Development Report 2011 of UNDP reveals that Bangladesh’s HDI value for 2011 is 0.5000 in the low human development category, positioning the country at 146 out of 187 countries and territories. Between 1980 and 2011, Bangladesh’s HDI value increased from 0.303 to 0.500, an increase of 65.0 per cent or average annual increase of about 1.6 percent.

2. Human Development Report 2011 of UNDP reveals that the most recent survey data that were publicly available for Bangladesh’s MPI estimation refer to 2007. In Bangladesh 57.8 per cent of the population suffer multiple deprivations while an additional 21.2 percent are vulnerable to multiple deprivations. The breadth of deprivation (intensity) in Bangladesh, which is the average percentage of deprivation experienced by people in multidimensional poverty, is 50.4 per cent. The MPI, which is the share of the population that is multidimensionally poor, adjusted by the intensity of the deprivations, is 0.292. Pakistan and Nepal have MPIs of 0.264 and 0.350 respectively.


6. Bangladesh Bank, the Central Bank statistics department announced that the weighted interest rate of scheduled banks in Bangladesh was 12.74% with spread of 5.32% as retrieved from http://www.bangladesh-bank.org/econdata/intrate.php on 20th December 2012.


8. Dr Henry Kissinger, the details of which are included as document 235 in Volume XI of the Foreign Relations of the United States series for 1969-1976 titled “South Asia Crisis, 1971”), He uttered similar comments: international basket case and bottomless basket.


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13. World Bank 2007, Volume II: Main Report, Chapter 7 and Figure 7.
16. ESCAP population data sheet 2006 Population and rural and urban division, Bangkok.
23. Mr. Sekendar Ali of Jessore, informed the police by mobile phone about the existence of phensydile a contraband cough syrup, in Mohiuddin’s cow-shed. After the phensydile was recovered, however, police recorded the case against the informant Sekendar Ali instead of Mohiuddin (Special Tribunal Case No. 485, 2006 at the Additional District and Sessions Judge 4th Court, Jessore).
24. A World bank policy paper revealed that, if Bangladesh were able to reduce corruption levels to those found in the more advanced East European countries (i.e., Poland or Hungary) holding other things constant, its corresponding annual average growth rate during 1990-97 could have been increased by between 1.65-2.14 percentage.
40. Takahito, Kanamori, Information technology and economic growth: Comparison between Japan and Korea. RIETI discussion paper series 07-E-009, Research Institute of Economy, trade and industry, Japan.
41. Article 39 of the Constitution of the People’s Republic of Bangladesh.
42. Peneyarchun, Anand, From the Key note address of Anand Peneyarchun, Former Prime Minister of Thailand, at the United Nations Development Programme Regional Workshop on integrity in governance in Asia, Bankok, June 1998.
46. Ibid, P.84.
47. Bangladesh has updated the Anti Money laundering Act and in process of updating the Intellectual Property related Acts. Bangladesh also enacted Anti-Terror Financing Act, 2012 and Mutual Legal Assistance Act, 2012 in line with integration with international law to combat cross boarder crimes.

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