



Legislature and Governance: A Comparative Study between Bangladesh and Japan

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Recieved: January 31 2021; Revised: April 28 2021; Accepted: May 5 2021

Abstract: This study shades light on the legislative structure and practices of Japan and that of Bangladesh with a view to comparing the state of governance of these two countries. This study has been conducted based on purely qualitative approach with content analysis. As per myriad of study legislative practices of Japan is successful to discharge good governance as the economic growth of Japan is termed as miracle. This study find that the legislative practices of Japan incorporated all the values of governance through its provision of two-house diet where lower house preserve substantial power over upper house, floor crossing, responsiveness of the legislatures, and strong role of parliamentary committees. After comparing the legislative practices of Japan with that of Bangladesh, this study basically found distinctions in structure and practiced value. The parliamentarian of Japan can vote against party decision to preserve the national interest while this is restricted in Bangladesh by the constitution. Japanese parliamentarian even prime minister often stepped down from the government confessing their faults. In Bangladesh we can't even think of it. Although every parliament in Bangladesh forms myriad of committees to oversight the work of ministers but visible and vibrant role of these committees is rare in both in giving policy input and in discharging oversight activities. Bangladesh, a democratic state wants to uphold the principles of good governance, may imitate some legislative principles both from structure and values of Japanese style of legislature. Keywords: legislature; governance; good governance; Japan; Bangladesh

Introduction

Government deals with a lot of affairs of the state. Theoretically government is a mechanism in running and administering public policies by

providing a context and a structure (Ward, 1967). However, a critical analysis of the nature of governmental functions reveals that these functions are broadly categorized into legislative, executive and



judicial functions. The political system along with government of a country varies on the basis of some factors i.e. colonial heritage, geographical location, culture, influence of development partner. The political system includes government but encompasses such unofficial components of a society's decision making apparatus as interest groups, leadership structure, value system, and so forth (Hasanuzzaman, 2010; Bowen & Greene, 2014; Egreteau, 2019; Krehbiel, & Peskowitz, 2015). Moreover, the pride of place is given to the legislature among the organs of government in democratic countries (Das, 2003; Inácio & Llanos, 2013). It primarily concerns itself to the business of law making.

Japans' political structure and functions bear very immense similarity to those of Bangladesh in the perspective of democratic theory and ideology though the land area of Japan is nearly three times bigger than that of Bangladesh. But Japan's economy is world's third largest at present while we are still struggling for breaking down the shackle of poverty. One thing has very much inspired me in choosing Japan to compare with Bangladesh, that both the countries had destructed a war infrastructure and economy. But the development process in macroeconomic field of the postwar Japanese economy has been termed as the so-called "Miracle Recovery" (Otsubo, 2007; Rahman, 1996) while Bangladesh has been termed as "Bottomless basket"- so called corrupted country. This paper intends to explore the answers of the questions- What are the basic differences between the legislative practices of Japan and that of Bangladesh. What are the lessons that Bangladesh can get from Japanese practices?

Methods

The study is conducted to meet the following two broad objectives; To discuss the national government structure of Japan giving due emphasis on the legislative side of the Government. Attempts have been made to compare the Japanese legislative practices with that of Bangladesh with a view to exploring some learning for Bangladesh.

Governance and Good Governance

The notion of "governance" is not new because it has been existed from the beginning of human civilization. Basically the term 'governance' means the process of making decision whether the decision is implemented (or not) (UNESCAP, 2000). Governance can be used in various perspectives such as corporate governance, international governance, national governance, urban governance and local governance (Liu, 2021; Scherer et al, 2013; Hanssen & Gremmen, 2013; Mads & Michaël, 2017; Jone, 2017; Acuto, 2020). Now-a-days state's role in giving direction to the development, a country and political regime is considered as the reflection of governing system of that state.

According to Landell-Mills and Serageldin, governance may be taken to denote "how people are ruled how the affairs of a state are administered and regulated; it refers to a nation's system of politics and how this functions in relation to public administration and law" (Khan, 1996). According to World Bank booklet reports, governance as the "manner in which power is exercised in the management of a countries economic and social development. resources for



Governance can be viewed both in positive and negative terms" (Khan, 1996).

Recently World Bank has introduced a political concept termed as good governance. Simply good governance refers to a governing system that is ideal in nature and unavoidable for a country's political, economic, social and cultural development. Ideal governing system mainly focusses on two issues i.e., ideal orientation of a state that works best to achieve self-reliance. sustainable development and social justice, and ideal functioning of government that operate most competently. Recognizing the complications defining good of governance the overcoming propensity has been to demarcate aspects of good governance. The United **Nations** (UNDP Development **Program** Governance and Sustainable Human Development, 1977) has pointed out the following five basic principles of good governance:

Legitimacy and voice: Common people including all male and female should have a voice to represent their intention in decision making process either directly or through legitimate intermediate institutions. Direction: Leaders and the public have comprehensive and long-standing aspects governance and good human development, in conjunction with a sense

of what is necessary for like this development.

Performance: Institutions and attempt processes to serve all stakeholders and institution produce outcomes that fulfill requirements while ensuring the best use of resources. Accountability: All the decision-makers, whether they are the part of government, sector civil or society organizations, are accountable to public for their actions.

Fairness: All male and female have chances to upgrade or keep up their wellbeing and legal framework should be fair and enacted neutrally, specifically human rights related laws.

The Economic and Social Commission for Asia and the Pacific (ESCAP) has mentioned eight core characteristics of good governance which participation, includes consensus accountability, transparency, oriented. responsiveness, effectiveness and efficiency, equity and inclusiveness and the rule of law. It assures minimization of corruption, measures of taking the views minorities of into account and arrangements for hearing the voices of the most vulnerable in society into decision making process. It is also willing to fulfill the present and future needs of society (ESCAP, 2000).

Figure 1: Characteristics of good governance



Source: ESCAP, 2000

Legislature

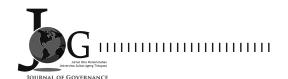
Legislature is a general term which incorporates several other particular terms like parliament, congress, national assembly and country-specific names (Diet in Japan, Cortes in Spain, Jatiya Sangshad in Bangladesh, Lok Sabha as Lower House & Rajya Sabha as Upper House in India, etc). There can be found legislative system both in representative democracies and under dictatorial regimes (Gandhi, 2020; Gerrit, 2020;). Political theorist Hari Hara Das (2003) functions explained some of the Legislature as following:

- Primary and first function of the legislature is law making. The legislature makes laws for the advancement of the entire nation.
- It exercises control over the national finance. All proposals for taxation must bear the concurrence of legislature in order to be effective. All appropriations too must be authorized by the legislature.
- The power to amend constitution.

- Exercise some form of Judicial Power. Parliament is empowered to impeachment of President.
- The legislature exercise control over the executive. The legislature debates public questions, ventilates grievances, obtains information and criticizes the government whenever there is any mistake.

Relation between Legislature and Governance

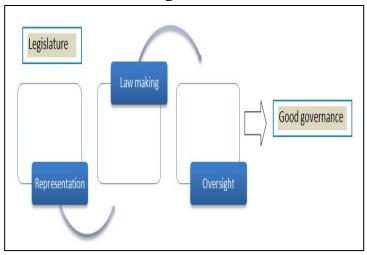
It is possible to define the nature of government and the scope of governance through relationship between the legislature and executive branch of a country. It is the legislature that safeguards and upholds the sovereignty of the people in parliamentary democracy and this role, especially guardian of the people's sovereignty, makes legislature the most essential organ of the state (Hye, 2000; Blais et al, 2017;).). For ensuring effective governance, effective legislature is a must because it executes key functions that is crucial to sustain democracy in complex and diverse societies. Efficient



institutions are needed in democratic societies because these type of institutions are capable of writing decent laws in both political and technical sense where political sense emphasizes on getting agreement from participants and technical sense focuses on the achievement of intended purposes (André et al, 2016; Egreteau, 2019; Richardson & Milyo, 2016; Radoslaw, 2015).

The role of legislature of a country is closely related to the good governance of that country. J. Johnson and R. Nakamura (2000) have significantly related the role of legislature in discharging good governance which has been incorporated in concept paper on Legislatures and Good Governance for UNDP.

Figure 2.
Relation between Legislature and Governance



Representation: Legislatures are useful in the sense that the place of functioning of this branch of government treated as "nerve endings of the polity" complaint because popular dissatisfactions / demands for action are first articulated by them frequently. In comparison with other judicial executive agencies, legislatures typically operate with greater transparency or less secrecy. They are diversified in their memberships (ordinarily planned symbolize a wider range of interests/characteristics/places) which they may gain early support and a

first hearing. Citizens enjoy greater access in this process because they like to feel that they have a claim on a representative in most cases rather than on other officials working in the governmental sector. And it is the proceedings of legislature that are organized frequently in order to maximize responsiveness people's to specific disputes and to avail opportunities for people's participation ranging getting individual representatives in touch to organized hearings. Not in an amazing manner, an accepted legislative nature is as a battlefield for the manifestation of societal disparities over policy.



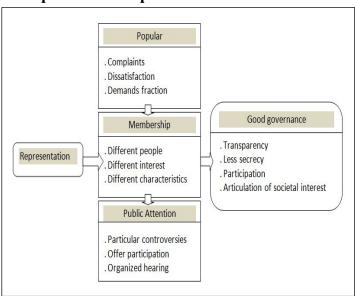


Figure 3: Relationship between Representation and Good Governance

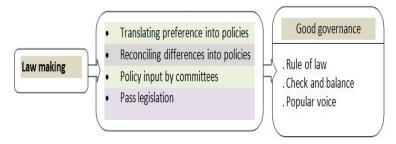
Lawmaking: Representing the public implies more than enunciating citizen preferences because it includes having a role in transforming preferences into policy by passing regulation. There is an uneasy but necessary relationship coexists between the representative and Lawmaking lawmaking functions. involves settling of discrepancies once enunciated, as well as insisting the parliament's claim to power in opposition to the executive and others who are exercising power i.e., political parties. This necessitates parliamentary procedures susceptible of settling down the rivalries and applying high degree of competence or skill to be taken in an earnest manner by the executive branch and other actors in the system.

The committees are considered the workhorses in most legislative bodies especially of this portion of the process. At

the same time, arenas are provided by the more effective committee systems which essential in terms of expressing differences and environments, which nurture mutual interaction and decision. To shape the manner of the entire legislature committee considerations are crucial and in this case, members of the committee have a commanding incentives specialize and to become both protagonists of popular positions and upgrade bargaining proficiencies to shape outcomes. And when specialized bodies are involved in a committee system where the committees are capable of considering their own areas legislation effectively, the entire legislature improves the capability to act with the executive branch over a huge number of issues in enough profundity to be significant partners in governing process.



Figure 4
Relationship between law making and Good Governance



Source: Author

Oversight: There are several legitimate oversight powers of most parliaments. So, it is tough to practice effective oversight because it requires information regarding to the activities of the executive branch, the capacity of the legislature process to required information, legislative will to act, and the power to support desires for advancement / access / responsiveness. Because of oversight other than lawmaking, there are every possibility of generating adversarial relationship between the legislature and at least particular segment of the executive branch. Ability to discharge executives (through no confidence motion, impeachment, etc.), the power to receive facts, figures and evidence from the executive (compel testimony, necessary reports, etc.), the

successful utilization of the power of the purse, and an operational committee system able to monitor and assess the behavior of executive branch in a knowledgeable manner, etc. are the most suitable oversight powers and capabilities existing in effective parliaments. All are effective in themselves as the methods of circuitously forcing the executive branch to pay attention on the issues arising legislative concerns. Effective oversight, in proper order or sequence, can feedback more effective law-making experience achieved in carrying out past laws can be assembled into future laws, and representing in more appropriate way when lawmakers shape administration of laws very professionally to take into account the influences on constituents.

Figure 5
Relationship between oversight and Good Governance



Source: Author



Result and Discussion Legislature and Governance: A Comparative Study

Japan's economic and political history covers five centuries but it is studied to the greatest extent for its outstanding progress after the Meiji Restoration. It is commonly believed that modern Japan started with the Meiji restoration in 1868. Before starting main discussion, we may take a look on some basics of Japanese socio-economic structure that will help to precede our discussion later.

Japan: At a Glance

- Government: Unitary parliamentary constitutional monarchy
- Population: 128,056,026 (2010) census
- Total area 377,944 km
- Legislature: National Diet (Bicameral)
- GDP \$5.228 trillion (2014 est.) (nominal; 3rd)
- Japan is the largest creditor nation of the world
- As of 2011, 68 Japanese companies have placed among the Fortune 500 companies
- Most of the observer described Japanese development as Miracle

Why Japanese Legislature system is best? Japans' political structure and functions bear very immense similarity to those of Bangladesh in the perspective of democratic theory and ideology though

the land area of Japan is nearly three times bigger than that of Bangladesh. But Japan has placed as third largest economy in the world while we are still struggling for breaking down the shackle of poverty. One thing has very much inspired me in choosing Japan to compare Bangladesh, that both the countries had a destructed infrastructure and war economy. It was generally believed that Japan was ruined at the WWII and her chance of recovery was almost ZERO. But the macroeconomic development process of the postwar Japanese economy has been termed as the so-called "Miracle Recovery" (Otsubo, 2007; Rahman, 1996) while Bangladesh has been termed as "Bottomless basket"- so called corrupted country.

As it is established that there is a greater role of legislature on good governance that consummately lead a country to economic, political and social development. I assume that the legislative practices of Japan is successful to discharge good governance as the economic growth of Japan is termed as outstanding one. Therefore, I think the Japanese legislature system is best.

Political form of Japan

As like England, Japan also preserves a unitary parliamentary democracy with constitutional monarchy. Constitutional Monarchy means the Emperor has no power. The constitution provides a system of government based essentially on a unique amalgam of British and American institutions (Ward, 1967).

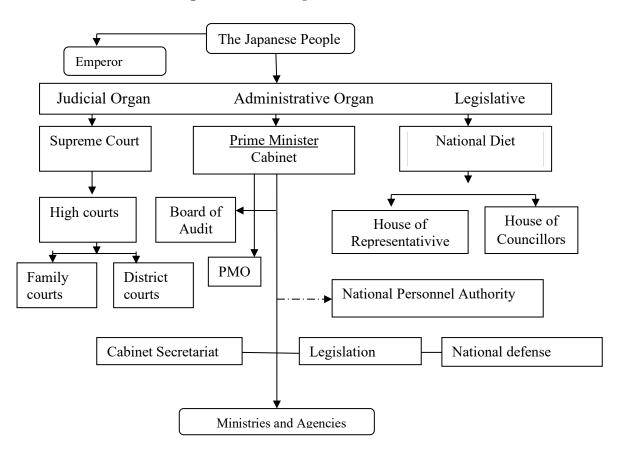


Figure 6
The organization of Japan's national Government

In modern Japan the emperor has only ritual or ceremonial importance. In the words of the Japanese constitution's article (1), "The Emperor shall be the symbol of the State and of the unity of the people". The Emperor of Japan performs absolutely symbolic and ritualistic functions including the appointment of the prime minister and the chief justice of the Supreme Court who are selected by the diet and cabinet respectively (Americana, 2004). The emperor was thought to possess magical powers. Some Japanese, small in number but vocal minority, believe that, as a hereditary monarch by his very nature, the Emperor contradicts democracy (Kandahar International. 1994).

National Diet Background

Gerald L. Curtis – an academician as well as political scientist of America – interested in comparative politics, writes in his book "The Japanese Way of Politics": "It probably will come as a surprise to many people to learn that Japan has one of the oldest parliaments in the world".

The Japanese parliament was first created in 1889 and the first elections for the Japanese parliament were held in 1890. So, it is clear that many of the traditions and many of the ways of doing things in the Japanese parliament that is similar to almost a hundred-year-old tradition are influenced heavily by Prussian and by other European models,



and this is considered one of the most interesting and complicating features of modern Japanese political life.

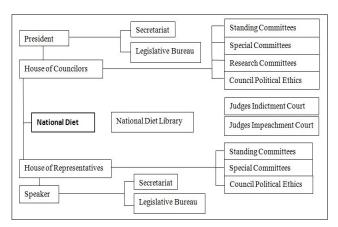
During the Meiji Period, the Japanese decided that they needed to adopt Western Europe's alike modern political life in order to make the Europeans satisfied that Japan was a cultured nation and deserved to be considered as an equal. For that reason, young Japanese leaders started to study the political systems, the constitutions, the education systems, all aspects of life in modern Europe and the United States by travelling around Europe and the United **States** after the so-called "Meiji Restoration" especially from the 1870s, when the feudal period, also known as Tokugawa, was ended in 1868, to the next decade or so.

Basically, "Diet" is the English name of the Japanese parliament that comes from the Prussian term. The history of parliamentary development Japanese from the Prussian period are reflected by the term "Diet" as well as the influence on Japan by Prussia specifically and other European countries (Curtis, 1988). The current Japan's parliament, known as "Diet", was brought into existence afresh after the 2nd world war because of adopting of a new constitution that is unequivocal in terms of creating the Diet as the supreme organ of state power.

Structure of Japanese Diet

The constitution of Japan describes the Diet (parliament) as "the highest organ of state power" and "the sole law making organ of the state". The National Diet of Japan has a bicameral construction with House of Representatives as lower house and House of Councilors as upper house. House of Representatives consists of a body of 486 members elected for 4 years' terms whereas the House of Councilors consists of 252 members popularly elected for 6 years. The electorate directly elects the Dietmen, members of Japan's National Diet, under a collateral voting system where the election committees of each level administrative supervise the elections according to the general direction provided by the Central Election Administration Committee (CEAC) (Hasanuzzaman, 2010). The following table illustrates the organization of the national Diet.

Figure 7.
Organization of the National Diet



Source: The Cambridge Encyclopedia of Japan Edited by Richard Bowing and Peter Kornicki, Cambridge University Press, 1993, p.287

The relations between the upper and lower house of the diet are prescribed by both law and the constitution. For example, lower house may enact a law against the opposition of the upper house with 2/3 majority in the parliament (Ward, 1967). Both house acts as the check and balance system. The constitution vests executive power in the cabinet. This is a group of political leaders, including 18

ministries, a chief secretary, and a director of the cabinet legislation Bureau. The group is headed by the prime minister who selects members among others as cabinet member and their numbers vary from 15 to 20 (Ward, 1967). The PM is also free to remove them from office at his discretion/will (Tsuneishi, 1966).

The Diet Process

Following fusion of power concept, the Japanese executive takes a principal part in legislative affairs. Most bills and legislative proposals usually do not start in the Diet because of such reality but induced by the ministries with the help of the cabinet and great pieces of all fruitful bills originate with the former. Political observers on Japan have been at variance pertaining to the legislature's tangible importance in the political system and its actual role. The Diet has thus been regarded by some as simply an approving body of the executive actions. Such evaluation stemmed from the composition of the legislature characterized supremacy of the ruling party of Liberal Democratic Party (LDP) for approximately four decades and continuation of shaky opposition in the House. In such a milieu the Diet is termed as an intrinsically feeble establishment in conjunction with diminutive self-directed influence (Kohno, 1989).

On the other hand, there are balanced opinions concerning the legislative feat in the form of offering requires inputs and scrutinizing the rule process. The Diet members commendably participating in other parliamentary businesses alongside their job i.e., effectively representing their constituency and articulating their interests. They as

such involved themselves in the following processes: formation of public opinion; fixation of party strategies; leaders' recruitment; electoral contestation; formation of intra-institutional policy; and confrontation of formal as well as informal inter-party legislative affairs (Richardson, 1997).

The Diet process has also been explained as viscous where the ruling party had been seen requesting a number of sorts of concessions to the opposition party of parliament for sanction of intended legislation. Analysts noted that even in the days of the LDPs irresistible prevalence over both houses domination of cabinet measures in the parliamentary procedure the reactionary legislature exposed adhesiveness in terms of formulating rule and approving budget. The treasury and the opposition benches carried out a type of predetermined roles in the legislative showground during the elongated LDP regime (Koichi, 1997). Nonetheless country's on-going sociopolitical dynamics and formal devices & informal mechanisms have also influenced LDP's legislative performers noticeably.

Oversight Functions

For demanding responsibility of the executive, the national Diet assigns several legislative devices comprising interpellations, questions, question time for the prime minister, scrutiny of various committees and other motions. Since its commencement, continuous progress in the direction to reforms in the Diet has been noticed. The purpose of current reforms is to reinforce legislative control administration. over stimulate parliamentary endorse conversation, proficiency in discussion, and construct



the legislative involvement more free and translucent.

Legislature of Bangladesh

After getting independence from Pakistan in 1971 Bangladesh opted to a parliamentary democracy in establishment of a sovereign legislature was sought. The main aim was to ensure the sovereignty of the people exercised through legislature - a representative body elected through democratic process (Chowdhury, 2000). According to the Constitution of the People's Republic of Bangladesh, the legislature is called as Jatiyo Shangsad and House of the Nation in Bengali and English respectively. But the legislature is commonly known parliament. The study has identified some features of Bangladesh parliament as follows:

The parliament of Bangladesh is unicameral, a single legislative chamber, having 350 members of which 300 members are directly elected on the basis of adult franchise from 300 territorial constituencies separately while the remaining 50 seats are reserved for women who are elected bv the aforementioned elected members conformity with law depending on the procedure of proportional representation parliament through the Single Transferable Vote. From the beginning of the 9th parliament the provision that ensures 50 reserved seats for women will continue for ten years.

As per provision of clause (3) of article 72 of the Constitution of the People's Republic of Bangladesh, the term of a parliament is five years that begins from the date of its first meeting after the general elections and the parliament is

usually dissolved on completion of five years from its beginning date. The President of Bangladesh has the supremacy to dissolve the parliament at any time if he seems that there is no members of parliament. The five years term of a parliament can be extended for maximum one year at a time by an act of parliament if the Republic is engaged in war (http://www.parliament.gov.bd).

In the present day's parliamentary system, the prime minister heads most of the works related branch government who is accountable to the parliament for the actions taken by him/her. The government has to depend on parliamentary approval before taking any action in this system because it is supposed to be controlled by parliament through legislative business. In addition, the cabinet including prime minister are bound to be responsive to the parliament for the actions taken by them. Hence, the parliament has very important role in this system in terms of upgrading the quality of governance (Krishana, 2000).

Floor crossing is illegal in the parliament as per the provision of article 70 of the constitution of Bangladesh (Molla, 2011). For that reason, anyone can lose his/her membership in the parliament if he/she engages in floor crossing. According to the constitution of Bangladesh, floor crossing includes the following issues i.e.,

- If any member resigns from the political party that nominates him/her,
- ii. If any member votes against the selected party, or
- iii. If any member abstains from voting, either by abstention or



absence, against the mandate of the party Whip.

Comparison with Bangladesh

Alexis de Tocqueville said that the comparison is fundamental to all human thought (Almond and Powell, 1996). Comparing our institution to that of other deepens our understanding. Examining the political structure in other societies permits us to see a wide range of alternatives and gives chance to revise the shortcomings in our political and national structure. We usually render comparative political analysis in terms of political judgments that are more resonant than they are accurate or informative (Ward, 1967).

Japan is a unitary country like Bangladesh. She incorporates a strange mix of parliamentary form of democracy and constitutional monarchy where the Emperor has no such executive power while Bangladesh retains the parliamentary form of democracy rendering some constitutional statutory power to President. Japan has a representative parliamentary system like Bangladesh in which the prime minister is selected from among the members of the parliament where political party plays a significant role. Because the political party, either a single political party having a majority of seats or the coalition of likeminded parties that control a majority of seats, decides who the prime minister is going to be. In this follow-through, the prime minister who is authorized to form his/her cabinet appoints the members of cabinet, also from among the members of the Diet. The politicians of Japan like that of Bangladesh largely depends bureaucrats in making legislation due to

the shortage of permanent staff support. Although the politicians discharge considerable power on the bureaucrats in the process of policy formulation and drafting. The study found the following dissimilarities between legislature of Bangladesh and that of Japan;

Structure and Composition

The Japanese Diet is a bicameral legislature, having two houses i.e., lower house and upper house where the lower house is the most powerful house. There are 500 members in the lower house under the new election system introduced in 1994 where members are elected for four years term. However, if a noconfidence motion is passed on the prime minister, an election is called by the prime minister whenever he/she determines and this is also applicable if the prime minister decides to call an election, to dissolve the house and call an election before the four-year term is up of running parliament.

In comparison with the upper house, the lower house of Japanese parliament is more powerful because treaties, the budget, and the selection of the prime minister are determined by it. For that reason, the lower house may overrule any decision taken by the upper house if it is different from the decision made by the lower house itself in the areas related to a treaty, pass the budget and the selection of the prime minister. This is possible when the lower house has a majority where the upper house cannot influence because of being minority and this continues till the members of lower house are determined that their position will hold. Bangladesh has a Parliament composed of one legislative body. Japan's Diet has totally 738 members but the



parliament of Bangladesh has 350 members totally elected for 5 years.

Frequent cabinet dissolution

Frequent changes or falls of the cabinet has been considered as regular matter in Japan. Cabinet falls and new cabinet installs for complex reasons. Mr. Yoshida presided over 5 different cabinets from 1946 to 1954 (Ward, 1967). Some researchers argue that intra-party and inter-factional differences on policy and personnel matter have been the common causes of the reconstitution of the cabinet (Kondasha International. Therefore, the PM has to change cabinet almost necessary for his/her continuance in power. One thing seems strange to me that this lack of stability of the cabinet hardly affects the economic growth of the country. Cabinet discharges important function i.e. Leadership role for the party and the state affairs, cases involving vital political, economic and administrative policies, administering and controlling the civil service, advising the emperor about the dissolution of the diet and appointing the judges of the Supreme Court etc. On the other hand, it is very rare case in Bangladesh. Although, recent government has made some adjustments in the cabinet time to time.

Floor-Crossing

In Bangladesh Political party members can't vote against the party decision (Article 70) while in Japan cabinet usually falls for no confidence of intraparty members. In Japan, cabinet passes any bill in the name of the cabinet while according to the article 55 of the constitution of Bangladesh "All executive actions of the government shall be

expressed to be taken in the name of the President". The ROB of Bangladesh government does not clarify about the disposal process of cabinet decisionswhether majority opinion or the PM's decision prevails. On the other hand, Japan's decision making process about the disposal process depends on the majority decision. Japan has separate "Legislative Bureau" and "Ministry of Justice (MoJ)" in line with the cabinet. Legislative Bureau renders important policy input in policy process of Japan side by side with MoL. Bangladesh has only "Ministry of Law, Parliamentary **Justice** and **Affairs** (MoLJ&PA)" to look after above mentioned issues that results policy review of this ministry take unusual time causing long delay of government action.

Role of Parliamentary Committees

Japanese parliament has various committees as like Bangladeshi parliament. But these committees are playing the key role in Japan in terms of drafting and adopting any legislation before it goes to the full House for a vote. And it becomes a law only if it's adopted by the both house of parliament i.e., lower house and upper house. On the other hand, these type of committees have no or very little role in drafting any legislation of Bangladesh, because most legislation are drafted by the bureaucracy here before submitting to the parliament by the cabinet. Moreover, it's very rare in Bangladeshi parliament that the parliamentary committees amend any bills rather than simply vote them up or vote them down.



Lessons for Bangladesh

Every political system should try for the qualitative improvement of the life of its people. The extent of the fulfillment of this goal is a matter for empirical investigation. It is necessary to compare two political systems to find out the nature and the extent of fulfillment of their basic objectives. This study explored some lessons for Bangladesh.

Although it is much debated that having bicameral legislature whether has substantial correlation with the development of a country or not. However, I think Bangladesh should have bicameral legislature to ensure vibrant legislative practices. As a revising body, lower house of the legislature can play a very useful part in legislation. The lower house is the useful check upon the hasty and ill digested legislation of the upper house. An Indian political theorist stated that complexity in the bulk of modern legislation demands that the second chamber should exist to lighten the burden of the popular chamber. According to J.S Mill, Hanry Maine, Lord Acton, Bryce etc. one assembly possesses innate tendency to be tyrannical in the absence of a check by the existence of another house (Das, 2003). This is to some extent true in Bangladesh.

The politicians of Bangladesh may capture the values practiced by the Japanese politicians in the aspect of taking responsibility in stepping down from the cabinet. By upholding national interest of the state, politicians of our country should avoid party or personal interest.

Japan has separate "Legislative Bureau" and "Ministry of Justice (MoJ)" in line with the cabinet. Legislative Bureau renders important policy input in policy process of Japan side by side with MoL. On the other hand, Bangladesh has only "Ministry of Law, Justice and Parliamentary Affairs (MoLJ&PA)" in this case. The government of Bangladesh may form organization like Legislative Bureau to ensure speedy disposal of legislative business.

Bangladesh Political party In members can't vote against the party decision (Article 70) while in Japan cabinet usually falls for no confidence of intraparty members. In Japan, cabinet passes any bill in the name of the cabinet while according to the article 55 of the constitution of Bangladesh "All executive actions of the government shall be expressed to be taken in the name of the President". The ROB of Bangladesh government does not clarify about the disposal process of cabinet decisionswhether majority opinion or the PM's decision prevails. On the other hand, Japan's decision making process about the disposal process depends on the majority decision. Japan has separate "Legislative Bureau" and "Ministry of Justice (MoJ)" in line with the cabinet. Legislative Bureau renders important policy input in policy process of Japan side by side with MoL. Bangladesh has only "Ministry of Law, Parliamentary **Justice** and **Affairs** (MoLJ&PA) in this case. That's why policy review of this ministry take unusual time causing long delay of government action.

 To raise issues and put them on the national agenda is one of the basic tasks of a parliamentarian and in this case he/she should play the lead role. But in Bangladesh party member can't vote against party decision (proposed policy, bills, law etc). This practice obstructs legislative governance. Therefore, like Japan, Bangladesh should incorporate provision of floor crossing in legislative culture.

There are various instruments to parliamentary overcome oversight. Among these instruments parliamentary committee system is the most effective instrument go with. Elsewhere in the world, the vibrant role of parliamentary committees in legislative governance is inevitable. Bangladesh government should take all possible measures to ensure the active and strong role of parliamentary committees in policy making process. Like parliamentary committees Bangladesh should be given full autonomy, staff and logistic support from the government.

Conclusion

Political form or structure may be similar in nature but there is an acute difference in practicing. Political motivation and mind set up have significant impact on political structure in administering a country. The study explored some pragmatic knowledge on legislative governance of Bangladesh and Japan. As a developing country Bangladesh can follow a lot in the arena of legislative governance of Japan. The prevailing bad governance inside the policy making system of Bangladesh is linked with bad governance in other areas. So, it is high time to pay attention on making the parliament efficient and effective by strong leadership, institutional capacity building and parliamentary oversight strengthening that will work for the betterment of good governance.

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Acknowledgements

We would like to thanks to the anonymous reviewers who provided a valuable comment and feedback on the early draf of this paper.

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