

Thirty years in retrospect

ZILLUR RAHMAN SIDDIQUI

BA NGLADESH, in actual terms, began its career as a state by the end of 1971, i.e., after the final surrender of the Pakistan forces and the installation of the government led by Taj Uddin Ahmad. The acting President, Syed Nazrul Islam and Prime Minister Taj Uddin, as they returned to Dhaka, more or less kept the government in exile intact, with minor changes here and there. But, with the return of Bangabandhu Sheikh Mujib in January, 1972, and with his assumption of office, not as the President of the Republic but as its Prime Minister, there were radical changes in the government. The job of framing a constitution for the country was taken up in earnest. The whole political context had changed making a new constitution an urgent necessity. A committee was formed under the chairmanship of the Law Minister, Dr. Kamal Hossain. The committee produced the draft constitution in the amazingly short period of roughly six months. The Gana Parishad, acting as the Constituent Assembly, started deliberations on the draft on the 19th October. By the end of only three weeks, on the 4th November, the Assembly adopted the constitution, 'collectively', whatever that may mean. The constitution came into operation on the 16th of December, the first anniversary of the Victory Day. Also, the date for the next general election was announced for 7th March, 1973.

Just a look, a quick look, at the dates will suggest one simple truth: The government of the day, led by Bangabandhu Sheikh Mujib, set a record of the speed in accomplishing a gigantic task: giving the new state of Bangladesh its constitution, its fundamental law. The pace at which this was done was repeated in the case of framing laws or in some cases, of amending existing laws, on a massive scale. The law-making machinery must have been made to work at a break-neck speed. Had it been allowed to proceed at the usual pace associated with all legislative work, some of the vital work accomplished then might never have been at all.

Looking back on the record of those fateful three years and a half, one is simply struck by the pace of events taking place, events both positive and negative in their import. Take the case of receiving recognition. There is a record of a new country recognising Bangladesh almost every other day. On the negative side, the report of accidents, of subversion, of killings, fire in godowns, of various forms of restlessness, and finally of flood and famine appears to have been a daily fare. One gets a mixed picture of breath-taking activity and mounting disorder.

This was the political climate in which the first government of Bangladesh worked, till it was forcibly thrown out of power. One would call this period the first phase of Bangladesh, the period of Awami rule. The most significant political decision of the period was the adoption by the Assembly of the 4th amendment of the constitution, heralding a one-party system, BKSAL, and a dramatic switch from the Parliamentary to the Presidential form of government: 25th January, 1975. The decision was never debated on the floor of the Assembly, and had a traumatic effect on a bewildered nation. It might have hastened the fall of Mujib and may explain why the events of mid-August left the nation stupefied, with all its political limbs inert.

The second phase may be counted as beginning from mid-August, 1975 and coming to an end on 6th December, 1990, the day General Ershad finally surrendered

power to the consensus president of the Caretaker government, Justice Shahabuddin Ahmed, who took leave from his office as the Chief Justice of the Supreme Court, and who had bargained with the political alliances to be eligible to return to the post after he had done his job as the head of the Caretaker Government. The following three months constitute the interregnum between two political governments, presumably to be repeated after every five years. As stipulated, there has been a second interregnum in 1996.

The third phase began with the taking of the oath of office by Begum Khaleda Zia as Prime Minister. A cabinet consisting of 10 full and 21 state-ministers took oath of office on the same occasion. Awami League members of the Parliament absented themselves from the function held at Bangabhaban, and cannot be said to have set a good example by so doing. Presently, we are in the 10th year of this phase.

different name, but virtually committed to the same political agenda. During this phase, the two parties were poised each against the other, no love lost between them. Once in power, Begum Zia pursued her political vendetta against Ershad and made him suffer prison terms for long five years. But, later in the third phase, the differences were off in their common opposition to Awami League. Politics have made strange bed-fellow of Khaleda, Ershad, Hasina, any two of them against any third, at least thrice during the period under discussion.

The basic change taking place in the third phase is the constitutional change that returned the state to original Parliamentary form of government. On the face of it, it was a positive change. But the way both the successive governments have reduced the Parliament to a non-entity, makes such a judgement controversial. The one positive aspect of this phase is the general acceptance of the concept of a caretaker government, to be headed by

parties agree to participate in national elections held under the auspices of a caretaker government, the phase can be seen as a distinct one, clearly different from the ones that preceded it.

Now, this view of the thirty years of our political life, will pose one question: what are the common features between the phases, if any, and what are the special features, giving them their identity?

One difference is clear enough, both between the first and the second, and between the second and the third. A presidential form of government with an army chief as its head, leaves hardly room for democratic institutions to grow or to operate. The second phase is marked out from the first and the third by this factor alone. If democracy was thwarted midway in the first phase, it has got a chance to establish itself in the third phase. Despite the failure and the drawback of the parties in politics, they are functioning within a system that is capable of reforming itself, a system that is not doomed to stagnate.

As for the common features, they are there, though at a deeper level, where they dictate the political conduct of the parties, and put them on the same plane. Our political conduct and culture derive from our social culture, with its all-enveloping influence. Parties may differ in their declared political agenda, but whether in power or in opposition they will behave the same. This has been demonstrated time and again.

Politics, and governance during this phase have been marked by a norm of conduct that appears to be a common heritage of the parties. Return of parliamentary system has not brought about any significant change in their political conduct. Political ethics is at the lowest ebb now. Political leadership has failed to provide guidance, hope for consolidation of the gains achieved through much sacrifice of many dedicated workers across the parties. What is tragic is that politics at the national level have been allowed gradually to depend on worst crimes and criminals. Education system has been reduced to an exercise in absurdity, with any body with any means sending his children abroad while the hapless majority having to do with whatever is available at home. What is available is a misnomer of education.

Politics have changed, politics have remained unchanged, there is some truth in both the statements. The important question is, if there has been a change, what kind of change is it? Unless it is positive, all our talk of changing politics may sound a juggling of words.

In the first flush of our independence, we tended to believe that all forces opposed to the values of our war of liberation had been annihilated. The second phase showed how very mistaken we were. The supposedly defeated forces were in the seat of power, presenting a face full of ambiguities, speaking a language with dubious meanings. Forces clearly opposed to secularism and progress, represented by Jamaat-Islam, so long in hiding, has come out into the open, freed from their political interdiction. In the third phase, the party usually identified with the values of the war of liberation, and providing leadership in the war, has faced stiff opposition from a combination of forces with divergent credentials.

It is now in the state of Avimannyu, one against seven. Its integrity as a party has largely disappeared, and it has been forced to make too many compromises. Some of its non-measures, some of its non-measures have exposed the moral erosion it has suffered. The party bears the name it took some forty years ago, but is no longer its former self.

Politics is never a static thing. Movement is its very essence. In Bangladesh, too, politics of the last thirty years has known many twists and turns. And the manner this has happened has often left the country bewildered if not worse. Still one can hope that the inner urges of a people will keep our politics on the move, toward a goal which all the politicians and all the leaders of the civil society will cherish. The greater interest of the country should take precedence over petty partisan interests. The third phase of our political life can very well go down in history as one that saw the consolidation of the parliamentary form of democracy in Bangladesh.

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I have made this division of phases on the criterion of the basic political nature of the period. But the principle is not without its flaws.

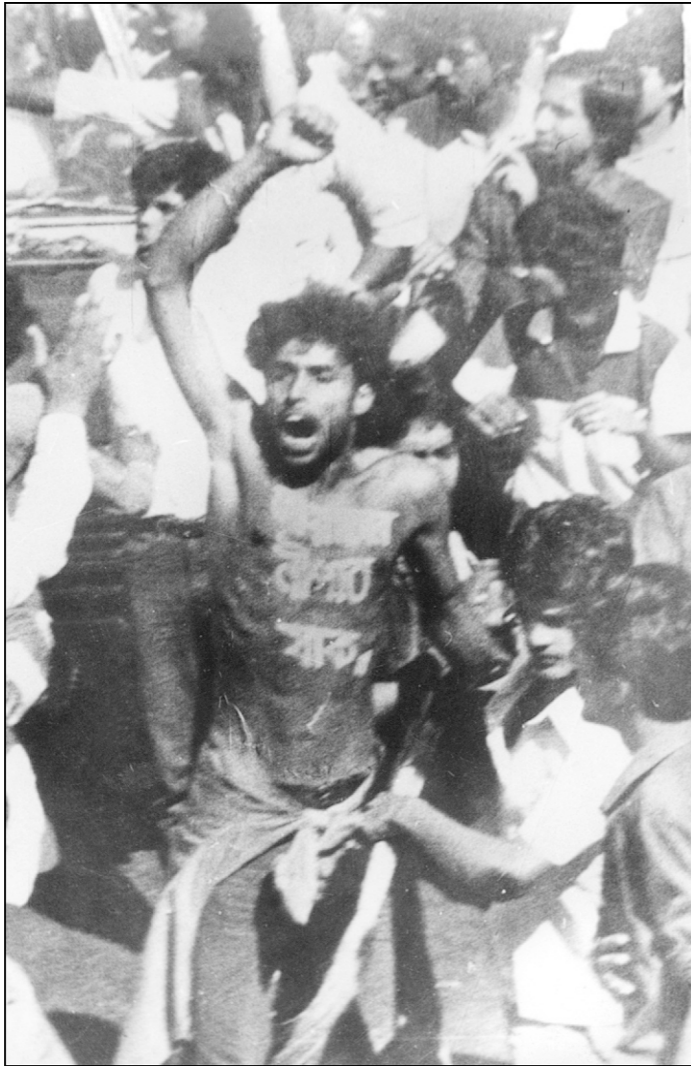
During the whole of the first phase, little over three and half years, we had one party in power, viz., the Awami League. But, with the 4th amendment of the constitution taking immediate effect, the whole complexion of the government was radically changed. At the same time, the same person who had been the Prime Minister now transformed himself into the President of the Republic, and was Head of State and of Government combined.

Continuity was snapped and maintained simultaneously. Which of the two carried more weight, one wonders.

The second phase, too, is not without its contradictions. Leaving out the brief rule of Justice Sattar, this has been a period of Army rule, since two Army Generals have been at the head of the state and of government, in succession. The period has seen both Martial Law and Civil Law, as it suited the Presidents. But the difference between the two hardly mattered. Many cases normally disposable in the civil court, were referred to the Martial Law court, without any chance of the accused to go to the High Court for justice. This had to happen at a time when an Army General was at once the Head of State and of Government and when a Martial Law court was always there handy to serve the purposes of the rule. Alongside this commonality between the regimes, there was also a factor that underlined the difference between the two. The second General did not succeed the first or his civilian successor in the due process of law. He simply captured power. He did not seek legitimacy from the party founded by Zia, he preferred to found his own party, with

a retired Chief Justice of the Supreme Court, charged with the all important task of holding a general election to elect a new parliament. Two such elections have since been held, with results that the country has accepted, and that even the defeated party/parties have not had the temerity to reject. So deep is the mutual distrust between political parties that the system has been found to be the only choice left for the contending parties.

The third phase is distinguished by the fact that it is the phase of parliamentary democracy, a system that failed to strike roots in the first phase, and that was rejected in the second phase. Paradoxically enough, this is also the phase that has exposed the inability, if not the unwillingness, of our political parties, to practice it in the way it should. Our major parties simply do not have the maturity to work the system. Their commitment to the form of government they themselves brought into being has been proved to be hollow. They are happy paying lip service to the form of the government, but continue to do every thing that will erode it. But despite all this, so long the



Nur Hossain just before being shot dead during the movement against autocracy.



Sheikh Hasina and Khaleda Zia contemplating joint movement against Ershad's autocracy.

STAR PHOTO: A K M MOHSIN

A decade of democracy

HARUN UR RASHID

AS an independent nation Bangladesh celebrates this year's anniversary in the new millennium. The value of an anniversary is the opportunity it provides to reflect on our past and where we go from here. As we look back on the last decade (1991-2001) that saw restoration of democracy in the country, we take pride in what we have achieved and we are disappointed at what we have not been able to accomplish.

Although many reforms in the economic sector and institutional democratic advances were made, the decade has been scarred by divisive politics by the mainstream political parties. Some may argue that while opportunism has governed the raison d'être of political parties, achievements should not be overlooked.

Major achievements

First, a mass "people power" campaign toppled the government in December 1990 and the Chief Justice of the country became an interim President (Chief Executive) with the consent of opposition parties. This is a creditable achievement for the people of Bangladesh. A general election was held on 27 February in 1991 and a democratically elected government under Begum Khaleda Zia was installed. The poll was declared free and fair by international observers. The elected government of 1991 was replaced in 1996 through a free and fair election as well. Sheikh Hasina became the Prime Minister and another election is due this year.

Second, an amendment in the constitution has been incorporated to enable a Non-Party Caretaker government to take over the administration once Parliament is dissolved. The Caretaker government acts as an interim government and holds elections through the Election Commission to ensure that elections are held "peacefully, fairly and impartially" (Article 58 D of the Constitution). All contesting parties stand on their political strength without any backing of the machinery of the government. This appears to be unique mechanism in Bangladesh for holding free and fair elections.

Third, the setting up of FEMMA (Fair Election Monitoring Alliance has strengthened fair conduct of elections. Civil society grouped together to ensure that elections are conducted in an impartial manner. Such institutions exist in other countries. In the Philippines the non-government election-monitoring body played a crucial role in the outcome of the elections held on 7 February 1986. Although President Marcos claimed victory, the monitoring body questioned the result and declared that Ms. Cory Aquino had polled the most votes and won the election. This counter-claim from the non-government body led ultimately to a mass "people power" campaign of peaceful resistance which forced President Marcos to flee into exile in Hawaii within a few weeks.

Fourth, the voters have become more aware of their rights than before. They assess which local candidate is better able to form opinions on the questions of the day and to represent local interests. While there are clear connections between social class and voting, there is a pronounced swing in participation rate by the poor in the elections. Furthermore, election studies have demonstrated that the female participation in voting has remarkably increased during the decade. Most of the poor females in both urban and rural areas have been found not too ignorant or apathetic to decide between rival party candidates.

Fifth, free media is a sine qua non for democracy. Since 1991, the tight grip of state control on print media has been relaxed. It enjoys comparatively more freedom than before. The number of newspapers and magazines has increased dramatically. The democratic government of the day seems to tolerate criticism in print media. Private sector TV has been allowed mainly to put up entertainment programmes. Although there are encouraging signs in this area, much more needs to be done to make the media more robust.

decade, together with democracy, has been the economic reforms that have taken place in the country. The promotion of foreign investment particularly in export-oriented manufacturing industries has been a pivotal element of Bangladesh's market-oriented policy reforms. Bangladesh is one of the most open economies in the developing world. Policy reform since 1991 envisaged that 'the public sector' would concentrate on essential areas that are not usually attractive to the private entrepreneurs either because the investments involved are too large or because the financial rate of return is not attractive.

As a result of economic reforms, economic growth has been over 5 per cent on average and exports have doubled during 1993-97. On average Bangladesh's exports are growing by 15 per cent every year. During the decade ready-made garment and clothing industries have registered a phenomenal growth and now the garments and knit wear constitute 68 per cent of total exports of the country. The garment industries have provided employment to thousands of women and have empowered a new generation of women workers. This has resulted in multiple effects on society.

Economic and social policies are like breathing in and out—they go together and they are not alternatives. As a result, there has been an impact in the social sectors as well. Life expectancy at birth has increased and the

peared. It is not just the government of the day we should blame. The community must share the blame as well because every citizen is required to be self-restrained, tolerant and committed to fair play towards others. It may be borne in mind that all rights have corresponding obligations in a democratic society.

Democracy cannot flourish without rule of law and it has been denied by the deterioration of the law and order situation. Violence appears to be the name of the game in the country. The front-page news in the print media says it all, day after day. One of the primary tests of personal safety appears to be whether a young lady is able to walk alone after dark from one end of the city to the other without being harassed or molested. Can we guarantee that?

Democracy lies in the political institutions being really "representative of the entire people" of the country as English philosopher and libertarian John Stuart Mills (1806-73) viewed it. Democracy is not a matter of mere articulation of concepts, such as sovereignty of people, inalienable rights, equality of opportunity for all citizens, freedom of expression or speech or separation of powers between three organs of a state (executive, legislative and judiciary) but the manner in which these noble concepts are translated into action by a government of the day.

In the new millennium we are saddled with many bigger and tougher questions: Will divisive politics continue? Will the outcome of elections this year change the political scene for the better? Will political parties come together to fight against poverty instead of fighting each other? The core issue seems to be how we will create an egalitarian society within a democratic environment.

literacy rate has gone up. Food production has increased and the country has attained self-sufficiency (about 26 million metric tons this year). This is striking indeed despite floods and droughts that visited the country. Bangladesh's road to development and progress appears to be on the right track despite political instability including occasional 'hartaals' and natural disasters in the country.

Disappointments

During the decade businesses have made money and have been enjoying themselves. It is one of the periods in which opulent life style of the rich has been manifest in their public behaviour while income inequality between the affluent and the poor has widened. For example, a wealthy person's family dinner in one evening in a posh restaurant in Dhaka would equal to more than a month's income for a poor family.

Regrettably, social order seems to have taken a back seat during the period. Corruption, nepotism and patronage by influential persons seem to grow slowly at the fabric of democratic society. University students have become pawns of political parties. Respect for institutions has almost disap-

Although democracy is young and is being tested robustly in Bangladesh, the political differences among the mainstream political parties do not appear to be a good omen for democracy and by extension for the country. The opposition political parties do not see eye to eye on major national issues, such as, the Ganges Water Treaty, Peace Agreement on Chittagong Hill Tracts and gas exports to India, including the direction of foreign policy of the government of the day.

The divisive politics has turned Parliament into a weak institution. Political parties represented in Parliament often tend to ignore democratic norms and national issues are hardly debated in Parliament but are discussed and debated outside. One may argue that nothing can marginalise the role of Parliament more than the boycotting of sessions by the major opposition parties of the day. Some suggest that the strategy adopted by Bangladesh National Party (BNP) under the Awami League government is similar to that of employed by Awami League under BNP administration when AL was in opposition.

Experts believe that political parties have been converted into simply

leader-based organisations. Democratic norms within the party appear to be ignored. In the absence of internal democracy within the party the so-called "survival" politics seems to have become the end-game of many of the members of Parliament. The party's accountability to members does not seem to exist.

Furthermore it seems that there has been always a perceptible gap between the precise promises made during the election campaign and the actual performance when the party comes to power. In some respects one could argue that party promises are similar to the constitution which Napoleon ordered his lawyers to draw up both sounding good and was vague enough to let the emperor get away with anything. Likewise any party in power can find loopholes to defend what it does as compatible with its election promises.

The existence of a dynamic media is a sign of democracy. The media plays a pivotal role in appraising the electorate with dispassionate views on important national issues. Media is like a mirror where the government of the day can see its performance being evaluated or measured. Investigative journalism needs to be encouraged for promotion of justice and for exposure of misuse or abuse of power. Appropriate enactment of legislation such as Freedom of Information Act will help to energise investigative journalism.

To ensure freedom of expression or opinion, the government of the day embraces a duty to ensure that all points of view on a national issue are disseminated. It is disappointing that the state-controlled radio and television have not become autonomous so that they can contribute effectively to present the differing views of both government and opposition parties on national issues.

Prospects

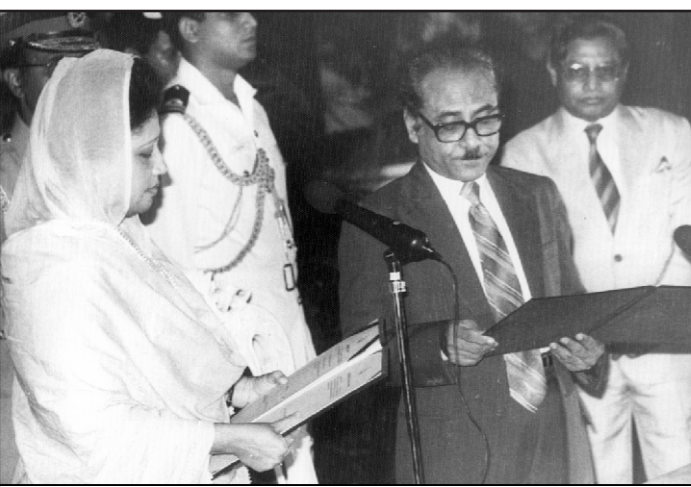
The very thing Asia lacks and the west possesses is accountability and transparency in activities of government. The west practises participatory and inclusive democracy. It is hard to miss the signs of modern times transparency and accountability intrinsic to democracy and a change in Bangladesh's national direction on the paths of noble traditions of democracy is imperative. "We can make the millennium not just a changing of the digits, but a true changing of the times" to quote former President Clinton.

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The answers to these questions are difficult in the present political setting. Political bickerings among the mainstream parties seem to tear apart national cohesiveness, the underpinnings of a democratic polity. Good politics is about what is right, not what is expedient. If the outcome of next elections is accepted by major parties as fair and free, it is not an impossibility that political squabbles may decline and a road map for a democratic and progressive Bangladesh could be in sight.

Recognition of the past calls for recognition of the people who have shaped what we are today as well as recognising that we will shape the future. If recognition of the past equates with our unity and determination, rapprochement among political parties is our hope for a shared future. Let the symbols of future resonate with truth and substance.

Bangladeshis are decent people and about three million sacrificed their lives for political independence in 1971. Let us have the courage to demand from our politicians that we wish to be a united, just and democratic nation. Are we asking too much? Given our passion for democracy and opposition to authoritarian rule, I don't think so.



Khaleda Zia taking oath as Prime Minister in 1991 (left), Sheikh Hasina's government taking oath in 1996 (right).

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Harun ur Rashid, a barrister, is former Bangladesh ambassador to the UN, Geneva.

