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**GOVERNANCE AND POLITICS IN BANGLADESH: THE 2007 STATE OF  
EMERGENCY AND THE PROSPECTS FOR A RETURN TO DEMOCRATIC  
RULE**

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**Introduction**

On January 11, 2007, the then Bangladeshi President Iajuddin Ahmed declared a state of emergency and imposed a curfew in the country ahead of national elections planned for January 22. The immediate trigger for the declaration was the announcement of the main opposition party, the Awami League, and its allies that they would launch a series of non-stop protests, blockades and strikes to force the caretaker government to cancel scheduled polls. An interim civilian government, backed by the military, was established promising to clear up corruption, oversee the reform of the country's political institutions and return the nation to democratic politics.

This paper examines the background to the present crisis, events and developments during 2006, which contributed to the declaration of the January 2007 state of emergency, and discusses political developments since then. It concludes with an outline of potential scenarios for political change during the coming months and the prospects for a return to democratic politics.

**Background to the present crisis**

Much of the literature on national politics in Bangladesh paints a bleak picture of the functioning of its formal political institutions.

...a vicious cycle of corruption has created a class of extremely rich people who dominate politics and business in Bangladesh and continue to plunder the wealth of the country at the cost of increasing the misery of the people-at-large.

(Khan, 2003)

Democracy's survival in Bangladesh rests upon the reinvigoration of political institutions and the rejection of politics as usual. Whether the country's leaders are up to this task is doubtful.

(Hagerty, 2007 )

There is much evidence to support these views with the roots of the present crisis going back to the foundation of Bangladesh in 1971. After a bloody war of liberation against Pakistan, under the first national government under Sheik Mujibur Rahman from 1971 to 1975 the country moved from a nominally democratic one to a one party state which was toppled in a bloody military coup in 1975. The political turmoil of this early period was exacerbated by the failure of official donor agencies to provide sufficient support for post-war re-construction which was left to local groups supported by some international NGOs.

For the next 15 years, the country was ruled by various military governments until 1990 when it returned to democratic politics with the election of the Bangladesh Nationalist Party (BNP) in 1991. Later elections saw the return to power of a reconstituted Awami League (AL) in 1996 followed by the BNP and its allies in 2001. Despite the shift to democratic politics since 1991, attempts at democratic consolidation have generally failed. What we have seen instead is a circulation of selected party political elites each of which operated according to a system of patrimonial rule in which access to positions of authority and influence was shaped by political loyalty rather than political, technical or administrative competence (Islam, 2006). The idea of a loyal opposition never took root, and successive governments were weakened by opposition boycotts of Parliament and the lack of vigorous and effective parliamentary committees, high levels of intra- and inter-party conflicts, hartals and street protests, particularly in Dhaka and Chittagong, rigged by-elections, patronage politics in civil service appointments, a judiciary subject to irregular executive influence, and personalized rule by the Prime Minister of the day, which limited internal party debates and allowed cronyism to dictate policy. There was intense personal rivalry between the 'two begums',

which further polarized the main parties and ‘citizens’ were expected to pay bribes for poor services.

Political support for the ruling party was achieved through patron-client relations (Khan, 2005) or what Islam (2006) refers to as a clientelistic mode of incorporation, which involved personal favours to particular factions in return for political support, sometimes ensured by physical and other forms of intimidation against opposing factions and political parties. The political and economic elites did not consider themselves threatened by any uprising of the poor and at best displayed a paternalistic attitude towards them (Hossain, 2005). Partly as a result of the failure of the main parties to govern effectively, over the past 15 years there has been a growth in power and influence of Islamic parties and movements, leading one observer to comment:

Radical Islam has moved in to fill the institutional vacuum created by the partisan rivalry and malgovernance of the mainstream political parties in Bangladesh. (Pant, 2007)

The BNP and AL parties have historically been distinguished ideologically by competing notions of what is to be Bangladeshi—the BNP projecting a more Muslim-oriented Bangladeshi nationalism while the AL laid claim to a more secularised Bengali nationalism. However, both parties have moved closer to alliances with conservative Islamic parties with the BNP ruling in alliance with Jamaat-e-Islami (JI), which exercised greater influence on national politics and governance than its numbers warranted, and the Islamia Oikya Jote (IOJ). The AL, which had claimed to be the party of secularism and progressivism, entered into a pact in December 2006 with the Islamist group Bangladesh Khelafat Majlish (BKM)<sup>1</sup> and agreed to some of its demands prior to the planned 2007 elections. This action caused considerable disquiet within the party and the agreement lapsed. These accommodative moves and government action against various Islamist groups in rural and urban Bangladesh contributed to a decline in terrorist acts after early 2006.

During this period, regional relations waxed and waned, depending upon which party was in power. In particular, relations with India remain strained and issues such as water management, illegal migration, Islamic fundamentalism, alleged arms smuggling

and closer economic ties will require political stability in Bangladesh for any meaningful progress to be made. Relations with Pakistan improved during the second BNP-led administration but there remains considerable opposition among the 'liberation generation' to the alliance with Islamic parties said to have been opposed to Bangladesh independence in 1971.

Despite the generally poor record of governance<sup>2</sup>, Bangladesh has made important economic strides since independence, especially during the last 16 years of democratic politics. However, growth has not been matched by any substantial redistribution of wealth and income and such inequalities have widened.

### **Events and developments in 2006**

The end of the BNP coalition's period in office in October, 2006 resulted in a period of intensified political instability. The AL-led 19 party alliance rejected the neutral caretaker government mandated by the constitution on the grounds that its head was a BNP supporter. The President assumed the role of head of the caretaker government but this did not satisfy the AL, which rejected the composition of the Election Commission as politically biased and engaged in rigging voter lists. The result was blockades, hartals and violence across the country affecting everyday activity and business. On January 11, 2007, the President stepped down, declaring a state of emergency in which the basic rights of citizens were suspended and a new Caretaker Government (CTG) backed by the military took control.

Amidst the general gloom, there was some cheer in 2006 when Mohammed Yunus, founder of the Grameen Bank, was awarded the Nobel Peace Prize.

### **January 2007 state of emergency and its aftermath**

The establishment of the military-backed CTG on January 11, promised a new direction for Bangladeshi politics. The most significant developments have been executive and judicial action against members of the political elite, including the arrest of several important political figures on charges of corruption. The most prominent of these include BNP leader Khaleda Zia, AL leader Sheik Hasina Wajed, and Tariq Rahman, son of Khaleda Zia and touted to be the next leader of the party. Khaleda Zia's detention

occurred sometime after that of Sheik Hasina, which critics saw as a measure to dampen criticism that the CTG is a pro-BNP grouping. In July the Bangladesh courts ordered three former ministers to be jailed for up to 31 years, including one convicted of abetting attacks by Islamist militants<sup>3</sup>. The CTG has introduced a citizen's charter for local administrations aimed at improving quality and transparency of service delivery. Local government officials are being exhorted to act morally towards their clients.

While foreign governments continue to give guarded approval to the new CTG, individual politicians, foreign media outlets and national international human rights groups are highly critical of the human rights abuses of the government, particularly the military's Rapid Deployment Force, and the pressures placed on local media to go easy on criticism of government actions<sup>4</sup>. However, among the general population many of the arrests have been welcomed.

The Election Commission, as part of the CTG's plan to hold elections in December 2008, has introduced compulsory registration of political parties; accountability of political parties in maintaining transparency of party income and expenditures; and debarring criminals, loan defaulters, and black money holders from participating in elections. Initiatives are under way for preparation of the voters list with photographs, along with ancillary national identity cards.

The EC also invited leaders of 15 political parties for talks on proposed electoral law reform, which began in September (New Age, Aug 17 2007). In response to pressures from political parties, some media outlets, foreign governments, human rights groups and others, there has been a partial lifting of the ban on domestic politics.

As a sign of its war against local terrorism, in May 2007 the authorities executed several Islamic militants, including the chief of the Jama'atul Mujahideen Bangladesh (JMB) Abdur Rahman and his deputy, Siddiquil Islam, aka 'Bangla Bhai'. This was greeted favourably by India, which is concerned over the use of Bangladesh as a safe haven for insurgent elements in its northeastern states and as a 'breeding ground' for Islamic militants. However, the JMB is said to be regrouping and targeting the Rapid Action Battalion (RAB), judges, Ahmadiyya mosques and NGOs (Daily Star, 5 May 2007). Also, concerns have been expressed about the relative freedom enjoyed by Jamaat

e Islami, the BNPs major coalition partner in the last government, despite several members charged with criminal offences.

A potentially dangerous development was the August attack on several students by army men camped on the Dhaka University campus. The action was sparked by a relatively minor incident on the DU campus but thousands of students at the University fought running battles with police demanding removal of the army camp from the campus and an apology from the army for beating up three students. The military authorities expressed their regret at the incident and the camp was removed. However, on August 26, five university teachers from Rajshahi and Dhaka Universities were remanded on the grounds that they had breached the emergency power rules supported in that they had helped organize the student protests against the military, and by implication, the CTG<sup>5</sup>. The Government intelligence services argued that detained Professor Anwar Hossain, general secretary of Dhaka University Teachers Association (DUTA), and Professor Harun-or-Rashid of Political Science who were taken on four-day remand, had admitted that some other teachers, student leaders and also some influential personnel were also involved in the ‘conspiracy’<sup>6</sup>. However, Human Rights groups and some University teachers claim these apologies were obtained under duress and both Hossain and ur-Rahman have stated publicly they were tortured.

The intelligence services also claimed that Tk 20 crore (AUS\$3.5 m) was spent at the Nilkhet area of Dhaka City by ‘vested quarters’ to fuel the agitation and the Army Chief General Moeen U Ahmed stated that the university protests were part of an ‘evil force’ aimed at destabilizing the country:

An evil force taking the cue of a trifle incident on the Dhaka University campus on August 20 wanted to create anarchy in the country. Within 24 hours, they poured in crores of taka to instigate vandalism on the street...  
But the design could not succeed as we were vigilant. Their plan to destabilise the situation and undermine the government has been foiled...  
The intelligence agencies are investigating to find out the evil force engaged in creating anarchy and undermining the image of the government (New Age, August 26, 2007).

In response to criticism from sections of the civil society at the arrest of over 80,000 persons said to be involved in the university protests, the CTG announced that

nobody would be held without specific allegation or evidence (New Nation, August 27, 2007). However, since the protests, other arrests of University teachers and students have taken place.

‘Vested quarters’ have also been blamed by the military claimed for taking advantage of prices rises in foodstuffs and the huge unemployment problem, spreading hatred among the population and instigating hawkers and unemployed youth to engage in clashes with law enforcing agencies.

There have also been reports that the army is using the emergency to harass non-Bengali minorities in the Chittagong Hill Tracts.

### **Future directions**

At the time of writing, the CTG government has promised a return to civilian rule by December 2008. The EC is busy laying the foundations for democratic elections, including organizing meetings with invited political parties which began on September 12. It hopes to complete the voters’ roll preparation before the October 2008 deadline. Party consultations with the EC have begun with the BNP and AL scheduled to discuss in November. However, both leaders of the two main parties are in detention on various corruption charges, which some commentators see this as part of a CGT strategy to remove certain politicians from engaging in politics in the future (politics minus 2). New legislation is said to bypass due process allowing quick trials and sentences.

Several parties involved in the dialogue have requested that ‘anti-liberation forces and war criminals’ be excluded from participating in elections. If successful, this would effectively exclude the religious parties as currently constituted from the next election.

There has been a partial lifting of the ban on politics, parties being able to hold meetings of its forums to discuss only party organisational reforms and the Election Commission's (EC) proposal for electoral reforms (Daily Star, 10 September 2007). This has been welcomed by foreign governments but most domestic politicians want a full lifting of the ban. There have been expulsions of senior figures from the BNP which has resulted in a power struggle for control of the party. There continues to be simmering discontent on several university campuses about the high-handed behaviour of the military.

The Anti-Corruption Commission has so far published a list of 180 corrupt people and another list of 220 will be made public by the end of September. It has set a limit on the number to be listed in an attempt to calm fears among the Bangladesh business community of an open-ended attack upon business<sup>7</sup>.

Donor agencies are biding their time until a return to civilian rule looks more certain, although Australian aid has increased, which Foreign Minister Downer has justified on the grounds that it goes directly to programs rather than through the CTG. Foreign governments are provided emergency relief for the flooding the country is experiencing.

Some observers have expressed concerns about recent developments in Bangladesh as indicating a further shift towards identity politics in which there is a clash of values about the future political culture of the country. For example, long-time student of Bangladesh, Geoffrey Wood, has spoken of a growing clash of values over the meaning of citizenship and rights in which political culture is increasingly defined as a *gemeinschaft*-like *umma* in which liberal politics has little or no place. In April 2007, army chief General Moeen U Ahmed, made it clear that religion would continue to be part of a new democratic national identity, although he did not elaborate:

Bangladesh will have to construct its own brand of democracy, recognising its social, historical and cultural conditions, with religion being one of several components of its national identity (Daily Star, April ).

Others are fearful of a continuation of military rule, although it is argued by some that this is unlikely as the Bangladesh military enjoys a good reputation as international peace keepers, which is a prestigious and lucrative activity for many junior and middle ranking military personnel. The army chief has stated publicly that the army has no interest in ruling and is simply supporting the CTG. This view was reiterated by chief advisor, Fakhruddin Ahmed, on 13 September this year.

Absent from most reports from Bangladesh are the voices of the majority of the population who are contending with rising food prices, flooding and the daily grind of earning enough to makes ends meet. Most urban and rural workers belong to the informal sector and do not possess any organizational voice except that provided by established

political parties and a some NGOs. However, long-standing industrial unrest exists among textile and garment workers, who are the most organized of any industrial sector in the country, but protests, strikes and other activities have been largely confined to matters of wages and working conditions. There is no sign (yet) that economic concerns are translating themselves into broader political claims.

The domestic liberal intellectual elite strongly supports an early return to civilian rule. One of Bangladesh's most respected intellectuals, Dr Rehman Sobhan has publicly stated (Daily Star Forum, August 2007) that the CTG must not allow itself to determine what political parties are allowed to contest an election other than to ensure that the conditions are favourable for genuine political leaders to emerge, free of criminal backgrounds and not able to use money and intimidation to gain power. He argues that the two main political leaders should be allowed to assist in the reform of their parties if they are shown in a court of law to be free of corruption and other malpractices.

All that can be ensured by the CTG and their backers is that in the December 2008 election both money and muscle power, the staple of the old political order, will be completely neutralised. If a third party cannot survive in such a genuinely competitive political market place then we will have to take our chances with whatever forces will be elected to power. This may leave us with an uncertain and possibly dangerous future but that is the price we must continue to pay, if we hope to preserve a democratic system (August 2007)

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<sup>1</sup> The agreement consisted of a five-point MoU that provided for the right to issue *fatwas* (Islamic religious edicts), ban on laws violating Quranic values, moves to recognize degrees awarded by Qaumi Madrasas and a ban on criticisms of the Prophet Muhammad.

<sup>2</sup> The US Fund for Peace and the magazine Foreign Policy's Failed State Index listed Bangladesh in 17th and 19th positions in 2005 and 2006, close to countries such as Iraq, Afghanistan, the Congo, and Somalia, Sierra Leone, Colombia, and North Korea, all with either serious civil conflict or political tensions. The index is based on 12 criteria: growing demographic pressures; large movement of refugees and internally displaced peoples; legacy of vengeance - seeking group grievance; chronic and sustained human flight; uneven economic development along group lines; sharp and/or severe economic decline; criminalisation and delegitimation of the state; progressive deterioration of public services; widespread violation of human rights; security apparatus as "state within a state"; rise of factionalised elites; intervention of other states or external actors.

<sup>3</sup> They were Aminul Haque, the post and telecommunications minister in the last BNP; former state minister Mohiuddin Khan Alamgir in the 1996-2001 Awami League Government was sentenced to 13 years in prison for amassing wealth illegally and asked to pay a fine of one million taka (\$A16,500) or face an additional year in prison; former deputy land administration minister Ruhul Quddus Talukdar Dulu, was sentenced to eight years in prison for arson and violence.

<sup>4</sup> On August 1, 2007, Brad Adams, Asia Director of the Human Rights Watch, wrote to Dr. Fakhruddin Ahmed, Chief Adviser of Caretaker Government Bangladesh on August 1, urging the government and the armed forces to take steps to protect human rights and follow the rule of law by:

- Immediately repealing the emergency regulations under the state of emergency and restoring fundamental rights guaranteed by the constitution.
- Charging or releasing those detained and give them access to legal counsel and family members.
- Restoring the right to petition for bail and challenge detentions.
- Using only official places of detention and end the use of irregular sites, such as the one maintained by DGFI, to prevent torture.
- Ensuring that those whose rights have been violated have an effective remedy before competent authorities.
- Allowing access by independent monitors to all places of detention.
- Prosecuting members of the army, RAB, police and other government officials responsible for human rights violations.

In May Tasneem Khalil, a journalist for the Dhaka-based *Daily Star* newspaper, a researcher for Human Rights Watch and a CNN stringer was arrested by the army and then released after 24 hours. He is noted for his reporting of military corruption.

<sup>5</sup> Those arrested were the General Secretary of Dhaka University Teachers Association (Duta) Prof Anwar Hossain and DU Social Science Dean Prof Harun-or-Rashid each were remanded in custody for four days in a case filed by the police for making provocative and anti-state statements. At Rajshahi, former Rajshahi University (RU) vice-chancellor Prof Saidur Rahman, Convener of RU Progressive Teachers Society Prof Abdus Sobhan and management professor Moloy Kumar Bhowmik were put on a 10-day remand each.

<sup>6</sup> Among those alleged to be involved were former Dhaka University, Vice-Chancellor Professor AK Azad Chowdhury, Professor Mizanur Rahman of Law Department, Professor Muntasir Mamun of History Department, detained former Rajshahi University VC Saidur Rahman Khan, private cable TV channel owner Fazlul Quader Chowdhury, son of BNP Chairperson Khaleda Zia's parliamentary affairs adviser, ETV owner Abdus Salam, Rangs Group owner Abdur Rouf Chowdhury, National Bank Chairperson Parvin Huq Sikder, former Chhatra League president Enamul Huq Shamim and Chhatradal DU unit president Hasan Mamun.

<sup>7</sup> Abdul Awal Mintoo, former president of the Federation of Bangladesh Chambers of Commerce and Industry and chief executive of the Multimode Group, a Dhaka-based conglomerate, stated earlier this year: "All of us are corrupt here,..Can you take everybody to jail in this country?"