CIVIL SOCIETY AND DEMOCRACY IN BANGLADESH: SINCE 1990
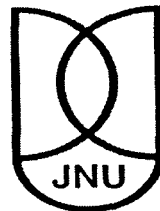
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DECLARATION

I declare that the dissertation entitled "**CIVIL SOCIETY AND DEMOCRACY IN BANGLADESH: SINCE 1990**", submitted by me in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of Jawaharlal Nehru university is my original work. This dissertation has not been previously submitted for the award of any other degree of this or any other university.

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We recommend that this dissertation be placed before the examiners for evaluation.

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CONTENTS

PREFACE

Restoration of democracy in Bangladesh in 1990 has only institutionalised the democratic system, but the democratic processes and the values at political and social level are still lacking in the nation. Due to vibrant and assertive past of the civil society, people are looking towards it with hope. Although it has played some role in strengthening democracy since its restoration, but expectations are more. The objective of my study is to find out the possibilities for more effective civil society and its role for strengthening of democracy.

The proposed research study tried to analyze following set of hypothesis. They are as follows:

1. The democracy in Bangladesh is in fragile state of nature.
2. Civil society organisations have been able to promote and strengthen the democratic institutions and processes in Bangladesh since 1990.

The proposed study adopted both descriptive and analytical research methods to conduct the study. The proposed study used primary sources like government orders, policy decisions and documents of Bangladesh government. The secondary sources comprised of news paper clippings, books, journals, articles, magazines.

The proposed study has broadly been divided into five chapters. The first chapter 'Civil Society and Democracy: A Theoretical Approach' deals with the theoretical interpretation of civil society and democracy. It has discussed the different nature and forms of the two concepts.

The second chapter 'Civil Society in Bangladesh: Nature and Effectiveness' deals with the civil society in Bangladesh. It discusses about the different kind of organisations, which constitute civil society in the country and different role which they are playing in the society.

The third chapter 'State of Democracy in Bangladesh: Scope for a Vibrant Civil Society' discusses the constitutional provisions which give space to civil society to flourish in Bangladesh. It also discusses about the practical realities of democracy in that country and it will be judged how much scope, civil society has to function in between these realities.

The fourth chapter 'Role of Civil Society in Strengthening Democracy in Bangladesh since 1990' discusses about the different roles which civil society has played in Bangladesh to strengthen the democratic set up and processes after 1990. It will deal with the good and bad features of civil society and democracy and their interrelation in last fifteen years in the country.

The last chapter summarizes the gist of the undertaken study and concludes the present state of development of the democracy and civil society and their relations in Bangladesh.

ACKNOWLEDGEMENTS

Vishwa Deepak Tripathi

CHAPTER I

CIVIL SOCIETY AND DEMOCRACY:

A THEORETICAL APPRPACH

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CIVIL SOCIETY AND DEMOCRACY: A THEORETICAL APPRPACH

The concept of civil society has been changing with time and space. The reason behind it is that it has been a dynamic concept, having an interdependent relationship with the socio-political realities of the places where it exists. Its relationship with the state is also a unique kind of relationship. Sometimes it was equated with the state, whereas at the other times it was separated from the state power. Few defined it as a part of the state, which gives legitimacy to the state power, but for others it was a mean of cutting and controlling the state authority. For some it was interposed between the family and the state, and for other's it was free area from the market and the state. The different and contrary views have been expressed about this concept. In the present time it is generally defined as an arena, free from the market and the state, where one works in his own interest and at the same time in the interest of the society as a whole.

In the ancient period people were equating it with state. At that time it was also the symbol of all those circumstances in which the civilized politics was possible. In those days state was represented by a very small section of society which had the authority to participate in the activities of the governance. This section was well literate and civilized. It constituted the elite class of those societies. Civil Society term was used for this particular class. Thus civil society for those periods was not different from the state.

Now, one has to try to probe the meaning of civil society in the western political theory of liberalism, because this concept was firstly articulated in this tradition. In this arena Charles Taylor tries to derive two major traditions, one beginning from John Lock and the other from the Montesquieu. Both of these thinkers were looking for ways to limit the potential for despotism of an absolutist state. In Lock's metaphor, society exists before government. In this analysis, he reaches at the conceptions of a self directing society, a limited state and civil society as a source of resistance to the state (Taylor 1990: 45).

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The second tradition begins with, the French thinker Montesquieu and is forwarded by his pupil, Alexis de Tocqueville, an American scholar. For Montesquieu and his disciple Alexis de Tocqueville, answer to the problem of limiting the absolutist state was to have a constitution defined in law and protected by a counter balancing force of independent bodies. According to Montesquieu these were the towns and estates of the Medieval Europe that were healthy centers of independent activity holding extensive rights. (Elliott 2003: 5) for de Tocqueville they were local associations of citizens acting together in the affairs of daily life (Tocqueville 1969).

Although these two traditions have tried to suggest, the ways and roles adopted by the civil society to counterbalance the authoritarian rule. But both of these have their own drawbacks and limitations. The Lockean tradition puts the emphasis on self-regulation, which at the extreme becomes a dream of eliminating politics (Elliott 2005: 06). From the Montesquieu tradition comes the conception of civil society engaged with politics, educating citizens, facilitating communication, and making government more effective.

Thus we see that these two liberal traditions have considered two features as common to civil society-self regulation and counterbalance to the state. But both of these have looked upon civil society in different ways. A third tradition of civil society was also developed in the west by those theorists who were facing the problems of capitalist economy. These theorists put forward a new concept of civil society when is critical of its liberal formulation. Hegel enlarged the notion of civil society from the liberal emphasis on the market to include social practices distinct from economic life. For him civil society was the arena of universal egoism (Elliott 2003: 06).

Modern theorist Jurgen Habermas introduced a new element 'communication' and analyzed the role of it in the process of social integration. For him there are some pockets within each society where private individuals arrive at common understandings about public goals through discourses and hence they try to scrutinizing the activities of the state. If these discourses will be governed by reasoned arguments and not by inherited ideas or identities then only they can expands the realm of freedom in the society. To emphasize

this critical distinction, Habermas limited the label of public sphere to that of reason based solidarity (Calhoun 1993: 267-80).

Marxist tradition criticized the Hegelian celebration of the state and they saw it as an instrument of domination which is always trying to protect the bourgeois class interests. And they said that civil society is also a part of this unholy alliance. They saw civil society as a space of intellectual and cultural groups, which create non-violent modes of hegemony. Gramsci proposed, however, that civil society could also provide the possibility of liberation, as a terrain where rising social groups may challenge the power of the state and the dominating classes associated with it (Elliott 2003: 07).Thus this whole tradition views civil society as to involve modes of education and negotiations, patterns of discourse and vehicles of association.

Civil society has also been defined as a sector of associations and as norms and values. When defined as a sector of associations it points about a space between family and the state where people associate across ties of kingship, aside from the market, and independent of the state. (Howell and Pearce2001: 80). It includes both relating formal organizations and the informal array of friendships and networks of social life outside the family. It is both a collection of organizations and the relatively protected space which they occupy. (Elliott 2003: 8).

Civil society in its normative made have been defined by Norton. According to Norton 'civil society is more than an admixture of various forms of associations, it also refers to a quality civility-without which the milieu consists of feuding factions, cliques and cabals. Civility implies tolerance, the willingness of individuals to accept disparate political views, and social attitudes. It is a cast of mind (Norton 1995: 214).

Thus scholars from different traditions of the political philosophy view different kind of values within civil society discourse. For the western liberal tradition theorists it is the 'individual rights' or 'individual freedom' which is at the core of the concept of civil society. European philosopher Jeffrey Alexander conceives of it as a realm of solidarity that 'simultaneously' affirms the sanctity of the individual and these individual's

obligation to the collectivity (Alexander1997: 115). Theorists of the procedural views of democracy say that civil society is the source of the virtues that sustain democratic interactions, trusts, tolerance, cooperation and equality (Shils1991: 3-20).

Civil society in Bangladesh

Civil society has been conceptualized in many ways by different scholars in the context of Bangladesh. Barhanuddin Khan 'Jahangir' says that civil society is to be understood in opposition to the military society, which they create after having seized the state power and established themselves in it. According to him, military is to be excluded out of arena of civil society, because its values, are anti-democratic in nature and they try to suppress popular politics and political supremacy in the conventional sense (Khan 1995). Problem with Khan's concept is that it makes civil society synonymous with civilian society, which is hard to accept.

Views of Rahman Sobhan about civil society are totally opposite to Jahangir's concept of civil society. Sobhan includes military too in the arena of civil society along with other professional groups of doctors and engineers etc (Sobhan 1997). This concept is criticized on two grounds. The first problem with it is that it makes civil society synonymous with the total population living within the state. And secondly by considering military as a part of civil society, it tries to ignore the fact that military is the most repressive apparatus, which any state has to suppress the demands and free opinions of its population. Indeed the army men are a part of the society at large, but not members of civil society. Civil society consists of associational and representational forums of the citizens and not the citizens themselves as individuals (Khan and Kabir 2002: 24).

Another idea of civil society has been given by former president justice shahabuddin Ahmed. His definition of civil society includes both as its part: the unorganized masses as well as the professional groups (Ahmed 1997). Mahmud Hassan comes out with more clear and insightful view of civil society. Military, police, bureaucracy, political parties and the market are excluded form his idea of the civil society. Because these institutions are either organs of the state or tend to influence the political

decisions of the government against the interest of the common man (Hassan 1998). Hassan also includes the unorganized masses as part of the civil society. But it is difficult to be agree to this view of Ahmed and Hassan. Because these kinds of masses will not be able to reach at consensus about their demands and proper articulation and representation of their demands will not be easy in their case.

According to Zakir Husain 'civil society organizations are situated between the citizens and the state, often acting as a buffer between state power and citizens' right. Their main function is to articulate public concerns and demands and to influence the state policies according to them. They also try to make state accountable. Constructive engagement and negotiations with the state apparatus makes these organizations more effective and meaningful (Hassan 1998). Abdul Hye, in his definitions tries to identity these groups more clearly. According to him 'the private sector, voluntary organizations (NGOs), social welfare organizations, professional bodies, trade unions, community based organizations, special interest groups, research organizations, advocacy groups and media in private sector constitutes the civil society organizations'. (Hye 1998).

Most of conceptualization of civil society in Bangladeshi context shows some kind of analogy with liberal tradition of civil society. They agree to the views of Lock and de Tocqueville that the civil society is formed by citizens associations which act as a resistance to the undemocratic and anti- people activities of the absolutist state. Shahabuddin Ahmed and Mohmud Hassan views about civil society in the country clearly include those non-political, non-business civilian associations which tend to influence the political decisions of the government in the interest of the common man. Views of Zakir Hussein and Abdul Hye have proximity with the views of Habermas about civil society because they are also trying to recognize the 'public sphere' which Bangladeshi society has created for its citizens and their associational activities. Similarity with the liberal tradition makes these groups good example for the Gramscis' concept of civil society, but their constant resistance to any undemocratic move of any government does not fits them well in Gramsci's notion.

Democracy has been a much contested concept in its long history. For some it was 'rule of the mob', while for others it was 'popular rule'. It has had very different meanings and connotations. It is understood differently in different social and economic systems in today's world. Today's western notion of democracy would not satisfy some of its old and new conceptions. It is so because the changed socio-economic realities have added some new features and dimensions to it.

Democracy has also been defined as a norm or ideal by which reality is tested and found wanting. But it does not mean that it is a concept which talks about any perfect reality or end positions, which is to be attained in the last. Like the ideas of perfect freedom or perfect justice the idea of democracy is also associated with the chance of further extension or growth.

Historical perspective of this idea reveals very paradoxical and puzzling features of it. It was described as one of the worst types of government and society by the great scholars of most of the time. It has been considered as a threat to all the central values of a civilized and orderly society. C.B. Macpherson put this point in these words:

> "Democracy used to be a bad word. Everybody who was anybody knew that democracy, in its original sense of rule by the people or government in accordance with the will of the bulk of the people, would be a bad thing fatal to individual freedom to all the graces of civilized living. That was the position taken by pretty nearly all mean of intelligence form the earliest historical times down to about a hundred years ago. Then, within fifty years, democracy became a good thing" (Macpherson: 1966).

Macpherson is very much correct with his point. During the Greek period, democracy was not seen with proper respect. Even the great political philosophers of all the time Plato and his pupil Aristotle were strong critics and opponent of the democracy. Plato can reasonably be thought of as the most radically and implacably anti-democratic of all political philosophers. His mentor, Socrates, shared at least some of his views (Arblaster: 1994). Plato's pupil Aristotle had a more suspicious outlook towards democracy.

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There are many events which have damaged the reputation of Athenian democracy. But the most famous and important of all these is indeed, the trial and execution of Socrates in 399 BC for impiety and corrupting the young generation of his time. This incident is the most famous incident about the Athenian democracy. It shows how an unaccountable majority government can crush the very noble and correct opposition voices. In the word of Sir Moses 'Here is the proof, it is said, of the tyranny of the majority... of the common man's hatred of the man of genius' (Finley: 1972).

Apart from these incidences, there were some other features of this democracy which made it so famous and which provokes debate about it till today. Such most important characteristic was the direct personal participation of the citizen body in the government of the city. It used to take place at two levels. Firstly city-states had an assembly of all its citizens called as "Ecclesia', whose main task was to take all the policy decisions related to the state. It used to meet ten times a year and was sovereign body of the state. The second most important feature of this direct popular rule was the filling of nearly all the offices of government and administration of the laws by citizens chosen by lottery system. Thus the Athenian democracy was based upon the idea of active citizenship. Here citizenship did not mean more membership in the diluted modern sense. But the greatest demerit of this democracy is also associated with the same feature of this democracy. Women, slaves and foreigners were not considered as citizens and thus a large section of the population was debarred from active participation in the matters of the state (Arblaster 1994).

Beginning of medieval age brought an end to the debates about 'democracy'. For nearly one thousand years the notion of democracy was behind the curtain. There was no chance of any people's participation in the rule of the state, on the basis of popular choices. But the Renaissance and Reformation movement came with a down for reason and popular politics. It was the Europe of 14th to 16th century where these ideas and movements grew with momentum.

At the beginning of the modern era, we have a very well developed doctrine of popular sovereignty. People were trying to make laws for themselves and select their rulers. But parallel to these developments, the theory of absolute, unlimited society was also developing in Europe which became the logical base for absolutism in the seventeenth and eighteenth century in the region of the world (Arblaster, 1994:28). The principle contemporary exponent of this theory was Jean Bodin. According to him 'the principle mark of sovereign majority and absolute power is essentially the right to impose laws on subject generally without their consent....law is nothing other than the command of the sovereign in the exercise of his power' (Anderson, 1974:50). The evolution of parliament in England in early modern Europe was exception in the light of above theory and its practice.

Movement for popular rule was gaining momentum in England. And it reached to a height in the seventeenth century during the civil war of 1642 and Glorious revolution of 1688. John Locke, a great proponent of the liberal political though was writing at the same time. He defends the concept of civil government, which will be based on contract and consent. According to him, 'Government is a trust held on behalf of the people. If that trust is breached, as the Whigs held that it had been by James II, the people have the right to resist the government and replace it with another' (Arblaster 1994:32). Thus Locke joins the group of contact theorists, for whom the ultimate political power and rights belong to the people.

One point should be very clear that Lock's notion of government by consent is not democracy. People are free to support any civil or constitutional rule according to their wishes. In the words of Parry, 'Locke is attempting to establish the proper source of authority for any government. Locke does not distinguish between forms of government on the basis of consent' (Pary 1978:96).

Democratic ideas diluted during the first half of the eighteenth century. But due to American and French revolutions, these ideas again captured the 'public sphere'. They were again placed on the agenda of real politics, not only in France or America but

globally. In America the constitution assembly was facing a considerable pressure to establish the new states and their federation as democracies, or as near that as was practically possible. One of the leading supporters of the representative democracy was Thomas Paine. He supported it with the condition that 'the elected might never form to themselves and interest separate from the electors' (Paine 1976: 67). Another supporter of representative democracy Hamilton said that 'representative democracy, where the rights of election is well secured and regulated and the exercise of the legislative, executive and judiciary authorities is rested in selected persons chosen really and not nominally by the people, will in my opinion be most likely to be happy, regular and durable' (Moris 1969: 131).

Ethos of democracy were given proper respect and attention at the state level also. In Massachusetts, William Gorden objected to the idea of confining political rights to the properties and said that 'The rich will have enough advantage against the poor without the political advantage' (Douglas 1955: 153). The Virginia constitution was too unified and concentrated the power in legislature. This was severely criticized by Jefferson. He argued that '173 despots would surely be as oppressive as one... An elective despotism was not the government we fought for; but one... in which the powers of government should be so divided and balanced among several bodies or magistracies, as that no one could transcend their legal limits, without being effectually checked and restrained by the others' (Jefferson 1977: 164). Thus the Americans were supportive of expansion of franchise, representative democracy separation of power. All these features promoted and strengthen the democratic values at that time.

Democratic consciousness was rising in France also at the same time. But it followed a different democratic thinking as compared to America or Britain. Individualist thinkers of Britain and America saw society as a collection of discrete individuals, held together by law and authority and common interests of the society for them was defined as something like sum of or compromise between, a diversity of group interests. Different form these views, French thinker Rousseau said that the general interest of the society was not the mere sum of individual interests, and general will was not the mere sum of

individual will. He also argued that majority decisions would not necessarily embody the general will or express the general interests (Arblaster 1994: 39). Later on, he accepted the principle of majority decisions but with the conditions under which the majority decision would not represent any class interest, but the interest of the community as a whole.

Dawn of the 19th century brought some new democratic consciousness in the England. Byron, one of the major proponents of the democracy in that century said that 'the king-times are fast finishing. There will be blood shed like water, and bears like mist, but the people will conquer in the end. I shall not live to see it, but I foresee it (Byron 1972: 372). Here he clearly shows the strength of the people's power against monarchy and autocracy.

The theory of 'Utilitarianism' played an important role for democratic values in this century. It promoted the principle of equality by attaching equal right to the happiness and suffering of each individual. This theory argued for not only increase in the sum total of human happiness, but it also asked for even distribution of this happiness throughout the population. Till the American and French revolutions, Bentham and other utilitarians believed that the enlightened rulers will commit themselves to the self-evidently admirable aim of increasing the sum total and in distribution of well being. But after 1789, Bentham saw that people were capable of acting politically for themselves, and was converted to the general principle of political democracy (Mark 1962: 432).

These ideas of political democracy were clearly explained by James Mill in his celebrated work 'Essay on Government'. Here he supported the representative democracy and said that 'in the grand discovery of modern times, the system of representation, the solution to all the difficulties, both speculative and practice, will perhaps be found ' (Lively and Rees 1978: 59). James Mill's son John Stuart Mill criticized the idea of universal franchise and democracy, because they are against individual liberty. He saw, public opinion, more than the state, as a threat to individual liberty. His contemporary Macaulay wrote that 'institutions purely democratic must, sooner or later, destroy liberty,

or civilization, or both (Hamburger 1976: 134). Thus liberal democracy saw support and opposition both for itself in the 19th century Europe.

More strong and vibrant opposition to idea of liberal democracy came in the form of 'people's democracy' in the 19th century of Europe. The concept of the people's democracy was developed by the Marxist thinkers which were not satisfied with the liberal democracy. Marxist thinkers argued that liberal democracy takes care of only class interests and individual liberty. It never cares for the interest of all. So people's democracy is needed. This term was used in particular to designate the goal of social, equality brought about through the common ownership of wealth, in contrast to 'political' democracy, which established only a facade of equality (Heywood 1997: 76).

Three hundred years of democratic traditional of the west has laid down some basic elements of constitutional democracy. First of these is a system of periodic elections with a free choice of candidates. Competing political parties are a must condition for these elections and there every individual should have right to vote. Political decisions should be taken by the vote of majority, but this should not change to authoritarianism of majority curbing the minority rights. For this an independent judiciary and constitutional safeguards for basic civil liberties should always be there (Khan and Kabir 2002: 02).

Some mediating values with their respective requirements have also been recognized by scholars. First such mediating value is 'participation' for which right tot participation, capacity to participate, agencies of participation and participatory culture are required. Second mediating value is authorization for which validation of the constitution and control of elected representatives over non-elected executive personnel is required. Third mediating value a 'representation' for which legislature is required. Fourth such value is 'accountability' for which clear line of legal, political and financial accountability is required. 'Transparency' is the next mediating value for which independent media and governments openness to legislature and public scrutiny is required.

Twentieth century saw the growth of democratic ideas in many ways. The liberal form of democracy met with threats from the Fascism and peoples democracy of communist regimes. But later on it showed its victory by the ideas like 'End of Ideology'. Peoples democracy lost its strengths in the decades of 80s and 90s. Newly independent countries of the third world searched a new type of democracy for themselves called as 'consociational democracy'. This democracy tried to incorporate the diverse cultural groups of these countries in the government (Apter1961: 20). The main objective of the consociational democracy is to evolve a consensus between the different groups through a political process that brings all their leaders into the process of the government. This can be done through the process of proportional representation or federalism, or by specially reserving offices of the state for members of different groups. By this way, a system of checks and balances is formed (Pinkey1993: 10).

Democracy in Bangladesh

Bangladesh got independence from the colonial British rule in 1947. And it started functioning as a part of the Pakistani state in the name of 'East Pakistan'. Although the East Pakistan has accepted to be a part of Pakistani state with a dream and hope of democracy. But soon after independence in 1947 its people and leaders started realizing that the developments were not very much fair and favorable to them. West Pakistani rules were not treating East Pakistan as an entity having equal and similar rights. And at the same time the regime in West Pakistan was slowly moving towards authoritarianism.

So, the people of East Pakistan realized that they are again in the trap of another colonial power. And for enjoying real freedom and democracy they will have to fight once more with the existing ruling elites of West Pakistan to get independence from them. And they fought this second war of independence and got a new nation called 'Bangladesh' for them in 1971. But this democracy was sent into the exile by military rulers Zia-ur Rahman and Ershad. But the people of Bangladesh never give up hope and they threw these military rulers one by one. And thus the Bangladesh entered into another phase of democratic governance in 1990.

Democracy in Bangladesh is basically liberal kind of democracy with constitutional government. It has followed the western liberal democratic model with some contextual amendments, which are obvious and necessary. The constitutional democracy adopted in Bangladesh in 1972 was based upon mainly four pillars- socialism, secularism, democracy and nationalism. But during the military regimes some of these principles were replaced by some religious identities. The 1977 constitution replaced 'secularism' with 'absolute trust and faith in the Almighty Allah'. The rest of the principles were also put behind the curtain through a constitutional amendment in 1979 when Gen. Zia-ur Rahman removed the four state principles, including secularism and instead inserted 'Bismillah-ar-rahman-ar-rahim' (in the name of Allah, the beneficent the merciful) in the preamble to the constitution (Datta 2004: 21).

Bangladesh's democracy is based upon the representative form of government where political parties compete in elections to get hold over the power of the state. There are two major political parties- Awami League and Bangladesh Nationalist Party. But many other parties have also been participating in these elections. Fourteen parties participated in first Jatiya Sangsad elections in 1973 (Chowdhury 2002: 74). The number of parties who participated in 1991 elections was eleven in 1996 second election it was 6 and in 2001 elections it was eight. And thus multiparty system is functioning in the country.

Eight Jatiya Sangsad elections has been held in Bangladesh since 1973. Out of these, three have occurred during the military regimes, whereas the rest five elections were held during democratic rule. Bangladesh has been trying to organize these elections in a free and fair manner. But since the reports of use of unfair means and practices were being reported during the elections by the ruling party, hence Bangladesh has evolved a totally new kind of institution to manage these elections called as 'Care Taker Government'. The 13th constitutional amendment in constitution by 6th Jatiya Sangsad passed the resolution for the provision of care taker government. This government will be headed by a retired chief justice of Supreme Court and will have some other members. Its responsibility will

be to conduct the Jatiya Sangsad elections within the 90 days of the dissolution of parliament (Datta 2004: 38).

The status of minorities is a big question in any democratic country which follows the principle of rule of majority. In the light of experiences in other countries the constitution of Bangladesh erases all discrimination against minorities. Thus instutionalised discrimination against the minorities does not exist in Bangladesh. For example, 29(2) of the constitution explicitly states:

"No citizens shall, on grounds only of religion, race, caste, sex or place of birth be ineligible for or discriminated against in respect of any employment or office in the service of the republics"(Dutta 2004).

This contrasts with the practices of some of the Islamic countries. The Iranian constitution for example, precludes minorities form holding the offices of President, Prime Minister, Ambassador, ministerial posts and top –level military positions (Sanasaria 2000: 70). Thus the constitution of Bangladesh is unbiased and protective towards minorities but it makes no special provision like affirmative actions for the minorities, which works against them.

These positive features of democracy in Bangladesh can not shadow some far reaching challenges which the country is facing. Although the country has established the institutions which establishes it as formal democracy, but still it lacks the processes and procedures which can put Bangladesh in the category of substantive democracy. Now let us have an overview of the major challenges which Bangladesh has been facing since the years of demise of military rule.

The major problem with the parliamentary democracy in Bangladesh is lack of opposition in parliament and its presence at the roads and streets. It means that the opposition in the country does not find it meaningful to oppose the government policies and decisions of executive inside the parliament, but they oppose these things by street

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protests and through extra parliamentary means. Thus one finds that elections have not replaced the traditional extra-parliamentary protest tactics which often turn violent. Frequent boycott of the parliament challenges the democratic credentials of the Bangladeshi political leaders (Datta 2004: 12).

The political opposition has turned into the personal rivalries between the heads of the two national parties BNP and Awami League. These leaders find it the most important issue for the democracy of the country to prove that their founding leader was the real hero of the war of liberation. They have been writing and rewriting the history to prove and strengthen their points. This kind of hostility between two national figures and their extra effort to glorify their own leader has nothing to do with the strengthening of democratic processes and welfare of the people.

The system of care-taker government is no doubt a big achievement for a newly independent country like Bangladesh. But unfortunately this new institutions is also not problem free. On the one hand the opposition always rejects the mandate with the charges of rigging and manipulation during the elections and on the other hand the ruling parties are often blamed for the appointment of their own people in the caretaker government. Along with it the continuing practice of a neutral non-political interim administration is the result of the lack of public trust in the government to organize elections (Datta 2004: 12).

Another problem for the democracy in Bangladesh is personalized nature of politics in the nation. It means that the political activities and processes in the country are not ideology based but they are based on personality. Because of this kind of politics the people are suffering in the nation. The government in the power or the party in opposition is not paying enough attention to the public grievances. Because of the above factors the problems of extremism and law and order are also taking a severe turn. The terrorists are getting very fertile ground in this poor and misadministered and mismanaged country for themselves. The criminalization of politics is another alarming issue.

The principle of separation of power is also not working very well in the country. The absence of a clear demarcation of responsibilities of the three branches of government, namely legislature, executive and judiciary is proving to be a menace (Datta, 2004: 14). In the absence of a proper opposition the government i.e. executive and its head Prime Minister is behaving in an authoritarian ways. Judiciary in the country is not free at the lower level and this is enhancing the consolidation of power in government/executive.

Thus it is clear that Bangladesh has followed the liberal democratic model. It has a parliament, for which the elections are held after every five years in normal conditions. Special provisions for care-taker government have been made to ensure free and fair elections. Judiciary is trying to perform its duties within its limits. But these constitutional provisions have not changed the ground realities accordingly. Rise of fundamentalism, legacy of the military rule, personalized nature and criminalization of politics, frequent boycott of parliament by opposition tells that institutional form of democracy needs lot of reforms in institutions and processes to make democracy function well in country.

Thus, it is clear that that although having institutionalized form of democracy, country has to reform so many processes and institutions so that its democracy can practice well. Here the people see the role of civil society in the country which has been very vibrant since the independence of nation in 1971. But before analyzing the role of civil society, it is necessary to conceptualize or theories this term independently and then in the context of Bangladesh.

Civil Society and Democracy:

The modern notion of civil society, which defines it as non-business, non-governmental activities, which insures the development and progress of the individual and society together has a great significance for modern forms of liberal democracy. Robert Putnam's massive study on Italy 'Making Democracy Work' concluded from a variety of statistical and historical studies that civil society makes democratic governments more effective (Putnam 1993: 23). And thus his work suggests that the presence of a vibrant civil society is a good sign for democratic governments.

Presence of a civil society is not only important for better functioning of democracy i. e. for deepening of democracy, but it is also equally important for those societies which are passing through a transition phase leading towards democratic institutions and processes. Thus civil society has vital importance for both kind of circumstances- transition to democratic government and deepening of democracy. The transition of Latin American countries towards democracy illustrates the civil society's role in this kind of transitions. But for this kind of changes, it is necessary that the civil society organisations must arrive on a common agenda and articulates culturally valid commitments to democracy. Lack of cohesion and willingness to be selectively co-opted by the state are problems arresting democratic transitions in Indonesia and Africa as well (Elliot 2003: 23).

In these kinds of studies, a balanced inquiry will look at the scene from the other side as well. Here the nature of the state should also be analysed, which allows these kinds of activities to continue within it. In this case some kind of state withdrawl is necessary to provide civil society with protected space to grow and to negotiate their differences. But in this case it is also necessary that state must have sufficient resources to control these groups within the system.

Inter-relation between the civil society and democracy in the context of Bangladesh has been very clear. Democratic rule in the country has been providing space for an assertive and vibrant civil society. The civil society organisations like-NGOs, professional groups, media groups and human right groups have been working for democracy in two ways. First, when there is an autocratic or military regime, they fight against it for the restoration of the democracy. And once the democratic institutions are in place, they try to ensure their well functioning to strengthen democracy. Thus they both have been trying to ensure the presence and well functioning of the other.

Second chapter will deal with the historical evolution of the civil society in the country. And it will explain the different constituents, which form the civil society in the nation.

CHAPTER-II

CIVIL SOCIETY IN BANGLADESH: NATURE AND EFFECTIVENESS

CIVIL SOCIETY IN BANGLADESH: NATURE AND EFFECTIVENESS

Bengal is the land which is well known for its intellectuals and struggles against any kind of repression. Renaissance came to the same land in South Asia, before any other region. During the British rule, the voices of political freedom and social reforms were pitched high in this land which was leading voices. Bengalis have their credit due to the record of many struggles and movements, which has raised the political consciousness on the one hand and brought in major political changes on the other. These features tell that Bengal always had a vast domain of social capital, which became vibrant and organised whenever it was required. In other words, civil society in its different organised constituencies is a term of recent past for Bengal, but the raw material for its constituencies has always been there.

Above facts are equally true for Bangladesh, since it has been a part of the same Bengali culture and tradition before coming into existence as a separate nation. Like Bengal, 'civil society in Bangladesh's socio-political discourse is a new concept and there is no consensus on its scope and perimeter (Hasan 1998). The term has been defined by scholars in many ways in the context of this country. Separate groups and sections of society have been includes as its constituent in its different definitions. Some general views about civil society in Bangladesh are given as follows.

According to the first view, which is most commonplace view, civil society comprises of non-governmental, non-profit, non-political organization and associations that exist to promote multiple interests of groups of citizens. Organs of press and broadcasting, trade unions, religious, sports, environmental community, hobby, pastime groups and other various groups representing such interests as of the aged, and disabled are included in it. This perspective of civil society proves it to be an element of democratic institution building a vehicle for promoting equitable access of resources, as a mean to make individuals as informed and responsible citizens, as a tool for registering protest etc.

Second perspective views civil society as citizens, groups and collectivities outside the state, market and political parties. Civil Society organizations are viewed outside this

trio because the above institutions try to monopolize all forms of decision making processes without the consent of ordinary citizens, either separately or collectively. This idea of civil society consists of two kinds of elements. First groups, associations and forums as well as individuals like professionals, intellectuals, movements, trade unions, associations and forums of professionals, teachers, journalists, lawyers, development workers, shopkeepers i.e. individuals of all denominators are parts of the civil society. Second, the common people who are at the receiving end of power and authority and are not associated with or beneficiaries of power and authority of the state, market and political parties .

Now the question arises, are the unorganized people at large, who are not part of the trio, nor do they belong to any formal associations or forum, parts of the civil society? Some reasons have been given which categories these masses as part of the civil society. First argument says that the society of Bangladesh is a traditional society where traditional social bonds are yet to be transformed into associational relationship. Thus, people in associational life form very thick section of the society. Secondly, the unorganized masses pose the most vital social capital. Although they are passive and peace loving but takes active interests in things that matter. They are individualistic and can quickly form a curious, and if necessary an active, at times, fierce crowd (Bayat 1997).

Evolution and Growth of Civil Society in Bangladesh

Although civil society is a recent origin in the context of Bangladesh, but in its very informal forms and structures of association life, it has been an important feature of the Bengali society. Village Welfare Societies and other forms of voluntary work and associational life never disappeared in the land of Bengal. Due to freedom struggle, increasing number of donor community at the global level and rise of consciousness of the citizens of Bangladesh about their rights and duties encouraged them to form formal associations for different purposes, which constitute the civil society in present Bangladesh.

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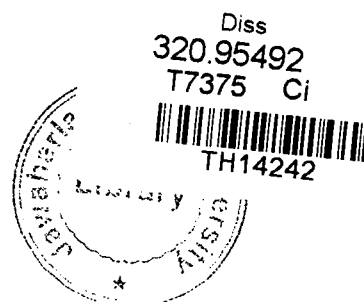
The liberation war of Bangladesh saw full participation of civil society organizations. Although very few organisations formed the country's civil society in those days, but they played very active roles in liberation war. The most important role among all these was played by student unions. After sacrificing many of their fellows by repressive regimes, they never left the battle field. Complete destruction of all infrastructures due to war and frequent natural calamities gave birth to large number of NGOs in Bangladesh after 1971. Civil Society organisation in those days was working on two fronts: to perform the restructuring and rehabilitation work and to strengthen the democracy. Since they were trying to strengthen democracy, they opposed some authoritarian attempts of Mujibur Rahman like banning all political parties and student union's and suspension of fundamental rights in 1974.

Civil society organisations did not expand and grew very well during the first few years of the country's independence. Many factors can be held responsible for it. First, Civil Society has very less chances to grow in a society which is so disturbed and least managed and governed. It becomes difficult for people to develop any kind of proximity and connectivity in such a society. Bangladesh was almost close to such a society in those years. Secondly, state was also in its very initial stages of formation, so it was not possible for it to support these kinds of groups or societies at any level (Khan and Kabir 2002: 26).

Civil Society organisations were not very much active during the authoritarian regime of military man Zia-ur-Rahman. Although some occasional outbursts of anger and protests were registered by them against the authoritarian tendencies of ruler, but these were not enough to create any serious threat to his regime. However, lack of popular legitimacy and increasing authoritarian tendencies turned the picture for his successor Ershad. Students Union, Bar Association and Trade Unions were always working to throw out this regime.

Ershad's decision to announce a new education policy (which planned to restrict the higher education to only talented students) angered the students (The Daily Ittefaq 1982). The violent student movement resulted in the killing of several Dhaka University

students. Ershad suspended the implementation of the policy (The Daily Ittefaq 1983). But the students' opposition to his government continued. Ershad took another controversial decision to establish permanent benches for the High Court Division of the Supreme Court at Dhaka, Comilla, Rangpur, Jessore, Pataakhali, Barisal, Chittagong and Sylhet and it came under sharp criticism by the lawyer's community. Lawyers thought that Ershad was trying to reduce their political influence by dispersing them. They started protests, organised seminars, conferences and meetings and demanded the resignation of Ershad (The Bangladesh Observer 1987).

The major federation of trade unions, Sramik Karmachari Oikkay Parishad also opposed the Ershad government due to its dual nature policies. Various demands of the workers and employees related to minimum national wage, amendments of repressive laws on trade unions, stoppage of privatization of public industries, were first accepted by the government. But later on the government changed its policy regarding above demands. This resulted in the alienation of trade unions from the government (Holiday: 1984). All the above mentioned civil society organisations and political parties launched nation wide violent movement to remove Ershad and, lastly, they succeeded.

After the restoration of democracy in 1990, civil society organisations have got space to expand and accelerate their activities. Till 1980s the civil society organisations were busy with right-based movements, which had expanded to the realm of governance in the present scenario. Civil Society now articulates concerns for the rule of law and demands from the state efficiency, accountability, transparency, decentralization and participation (Kabir 2002). In the words of Peter Eigen "civil society now acts as a catalyst and advocate of those interests which are underrepresented or when the government falters, mobilizes people, raises public awareness and sensitizes various issues and defends the interests of the poor, the uneducated, the illiterate, the unorganized and the weak (Eigen 1998).

Civil Society Constituents:

NGOs

NGOs are the largest constituent of Civil Society in the Country. The roots of the Bangladesh NGOs can be found in the long tradition of community organization and voluntary action of Bengali society. From 1930s onwards, village welfare societies such as Palli Mangal Samitis, which were self-help village-level organizations become common. These were encouraged by local administrators in a combination of local good works and the building of local patronage relationships. Private voluntary work was undertaken by citizens in support of schools or mosques or relief provision in times of natural disaster. Religious charity played a role in the form of Islamic duty of Zakat, the payment of one fortieth of ones income to the poor, or the Hindu tradition of providing food to *sadhus* and *faqeers* (Zaidi 1970). Voluntary education and health programmes were run by many Christian missionaries and the community development approaches adopted by them now characterizes many contemporary NGOs.

The modern form of NGO sector evolved during the war of independence in 1971, and the disastrous cyclone, which followed it. The local activist and entrepreneurs were supported with the ideas, organizations and resources (in the form of aid) by international players during these years. Traditions of charity and self-help became stronger with the evolution of a new generation of development NGOs. These NGOs provided serviced such as credit delivery and community health care, built local organizations of the landless, and some become involved in policy advocacy. A set of new vertical relationship emerged between people and NGO service providers (Hasan 1993). Thus, the evolution of NGOs in the context of Bangladesh is not totally new concept. These have been working in different forms before the formation of the nation.

Initially the British rule had been trying to regulate and institutionalize these voluntary works and NGOs through different acts and ordinances. The first such act was the Societies Registration Act of 1860. This act was passed during the British rule, through which the NGOs were regulated as "Literary, Scientific and Charitable Societies". This act

was promulgated for diffusion of useful knowledge or political education, or for charitable purposes or to improve the legal condition of societies established for the promotion of literature, science or the fine arts. The next such provision was 'Voluntary Social Welfare Agencies Ordinance' (Registration and Control), which was promulgated in 1961. Its main purpose was to expedite the registration and control of voluntary social welfare agencies and the maters ancillary thereto. At the time of promulgation of this ordinance, Bangladesh was part of Pakistan. 'The Foreign Donation Regulation Ordinance 1978' and establishment of NGOs affairs bureau in 1990 are the next major steps of the government to control and institutionalized the NGOs activity.

NGOs participated in health programmes and educational activities. They run thousands of schools. Their main activity for the economic upliftment of the society is their micro-credit prrogramme. Apart from these socio-economic tasks, NGOs have worked in the political arena also. They have tried to empower rural women, particularly in the field of politics by their different activities. Centre for Analysis and Choice (CAC), a NGO, has run a programme 'Women in Politics' to raise awareness and develop skill of potential women leaders to enable them to contest as candidate both at the national and local levels. Women for women, a research organisation tried to sensitize leaders of the political parties to women's concerns and issues. Many NGOs have designed specific programmes to train local elected representatives, especially women representative (Khan & Kabir 2002: 103).

Different kinds of NGOs are organized into a number of apex or 'Umbrella bodies'. Each such body is association of many NGOs working in some specific area. Some important bodies of this kind are: Voluntary Health Services Society (VHSS) operating in health sector, the Coordination Council for Human Rights in Bangladesh (CCHRB). They are playing major role in the filed of human rights and the Campaign for Popular Education (CAMPE) which concentrated on education and election monitoring (Blair 2000). Radio and TV channels are government controlled. Print Media is in better condition as compared to electronic media. Yet it has not reached to the lowest section of the society.

NGOs sector of the country, which is supposed to be booming, is not free from the charges and problems. The voter education programme taken up by NGOs was criticized. The different NGOs made allegations against each other (Khan Kabir 2002: 184). Different NGOs have lack of co-ordination in their activities. In some cases NGOs lend money through their micro-credit programmes to the same group of people.

Social and political hierarchies of the country have their impact on civil society organisations. Studies done by BRAC in 1980's showed need of alternative sources of low-cost loans far rural population, which was under the trap of patron-client relation due to rural informal money-lending institutions. But the studies done by Davine and others have shown the presence of this now credit system of NGOs. Evidences have been given that some NGOs have used their economic power as lenders to exercise political influence by delivering votes to political parties (Karim 2001).

Direct funding by many international institutions to NGOs has caused another problem for civil society. In this system of direct funding the donor representatives looked for NGOs with the capacity to absorb larger sums. 80 percent of all donor aid went to only thirty NGOs by 1996. The more interesting fact was that 60 percent of this fund went to only eight big NGOs (Sobhan 2000). These dominant NGOs, referred to by descriptive names such as the "Big 8" or "G 7" are some of the most powerful institutions in Bangladesh. It shows how corporate nature and feudal kind of tendencies have grown in the NGOs sector of the country.

Media :

The history of Bangladesh media since its beginning presents a colorful spectacle. Encouragement and zeal of few educated people caused the publication of some papers and periodicals. Their main aim through these publications was the extension of education on science, agriculture etc. or to disseminate and propagate the religious ideologies and faith. Political matters were discussed by very few of them. Social groups like 'Sabha', 'Samiti', 'Samaj', etc. had intimation towards publishing monthly periodicals. These groups printed

news of their interest and also highlighted cultural activities apart from publishing literary articles and local gossips.

During the liberation war the under ground press and radio provided direction and inspiration to the nation to fight against the Pakistani occupation. After liberation 'The News Print Control Order of 1974' empowered the ministry of information to exercise control over the production and consumption of news print. In 1975, the government closed down all the news papers other than two Bengali and two English dailies (Rahman 1999). During the military regime these bans continued. According to South Asian Press Federation Report 1990, "Before the change of governments in Bangladesh in 1990, a press, in one word, was under the control of ruling party. These were black laws which were frequently used against the reporters, news paper owners and publishers. Editors, journalists and reporters were often tortured".

The media observed a proliferation of news papers and television channels in the 1990s largely due to the critical role played by the media in the restoration of democracy in December 1990. There are several factors which have hindered the vibrant media activities in the country. Lack of media policies of the government is the first cause which has harmed the expansion of media. Financial dependency is the second major cause, which hinders the media activities. Most of the news papers depend upon the government sponsored advertisements and allocation of news print imported at a favorable tariff rate (Anwar 1994). Although the government claims that allocation of government advertisements and news print is made in respect to the circulation figure, accuracy of news items etc. but news papers criticizing the government obviously lose in these allocations.

Media is a no exception to the division of Bangladeshi society along partisan lines. This trend in media deviate it from its primary duty of critically analyzing the government policies in national interest. Media also looses its professional attitude while doing so. Ownership of the private Bangladeshi media by the leading business houses and new rich

of the country has promoted and supported the capitalist view of the development through its publications and programs (Hossian 2001).

The country has witnessed a large number of incidence of death or threats, arrest and illegal detention, institutional intimidation and harassment or assault on journalist by political rivals or syndicate groups. Foreign journalists were also assaulted by local goons in some cases. The government of the country avoids strict action against the criminal elements because it feels that the country has been unfairly maligned by the international media, particularly regarding international terrorism. Official investigations into journalist's death or assault made little progress and criminals, alleged to be responsible for this incidence were not brought to justice (Hossian 2001).

Present political crisis in Bangladesh has affected the media also. On 11th January 2007 the interim government of the nation announced the state of emergency and a censorship regime was imposed on the country's media. This decision of the interim government met with severe criticism from the national and international media. The anti-corruption measure of the caretaker government has targeted some big media houses also. But interestingly, during the last few months, the media in the nation has been cheer leading the military-backed government in the place of demanding due process (Saleh 2007).

Student and Teacher Unions:

Students union and teachers union are the second constituents of civil society. Students union was formed in 1948 in East Bengal called as 'East Bengal Student League' with sheikh Mujibur Rahman as the organizing secretary. It was the first student union in East Bengal region. In February 1948 this student league launched a movement for recognition of Bengali as one of the state languages of Pakistan and in June 1949 this movement gave birth to a new political party the East Bengali Awami League. Student league was also part of the committee of action which was formed to lead the movement against the imposition of Urdu as only state language in Pakistan.

Student's league and Students Union started leading the Bengali national movement during 1958 to 1962 when political parties were banned and all their activities were stopped by the government order. During the years of detention of Sheikh Mujibur Rahman and other prominent leaders of Awami Leage, the Student Union again played vital role for the nationalist movement. Students union and students league came together to form the East Bengal Students Action Committee. This committee came out with an eleven point programme which radicalized the politics of East Bengal in a way that had never happened before. A massive popular support aroused among all classes of people in the East Bengal for this program (Maniruzzaman 1975). Thus the role of students union during the liberation war had been admirable. They went beyond their capacity to serve the nation. During these years they proved that they are the true sons of soil.

Their role cannot be overlooked during the Ershad rule. They were among the leading organizations who came together to launch the movement against the military regime. In September 1982, Sangram Parishad was formed by students to oppose the government policies. Teachers were also part of this movement; they were guiding the movements with their ideas and knowledge. Their combined efforts resulted in the restoration of democracy in the 1990s (Maniruzzaman 1994).

A new trend in student politics and teacher politics is seen after the establishment of democratic setup. Although they had close association with parties in the past but they used to unite irrespective of their party affiliations at the time of crisis. But after 1990 this trend is missing among the organizations and they show more loyalty to partisan politics rather than the democratic institutions and democratic process. Except this, criminalization of politics has also become nature of student politics which neither serves the nation nor students. Thus, the student and teachers union have started mitigating the glorious past of their own by their own deeds and activities. The present care taker government has started some moves to finish their party affiliations or to stop their activities completely (New Age 2007).

TRADE UNION:

Like students and teachers association the trade unions also has glorious past. Their attitude during liberation war years was pro people and pro democratic. They were always present to be part of the liberation movement. The general secretary of Jatio Sramik league (National Labour Leage), a trade union leader was the nominee of the Awami Leage for national assembly in 1970 general elections (Maniruzzaman 1975). This meant that Awami Leage had support of labor organizations and trade unions; they played a very crucial role in the anti Ershad movement also. They joined hands with other civil society players to ouster this military dictator from the power. The national federation of trade unions 'Bangladesh free trade union congress' was also formed in 1983 during Ershad period (http://countrystudies.us/bangladesh)

Bangladesh posses a large number of trade unions after 1990 but their activities had been highly influenced by the partisan politics in the nation. The trade unions like Bangladesh Jatiyatabadi Sramik Dal and Bangladesh Jatio Sramik League which were formed much earlier became a part of partisan politics. During the military regimes, this unions work together on the issues of labor and democracy. But now it is a matter of past. Their party affiliation hinders them from participating in all those activities which are anti-government. Therefore, trade unions see the interest of the party first then after the country and labor themselves.

MADRASSAS:

Madrassas can be considered as another civil society player in the nation. Their main motive is to educate the society. Madrassas have grown rapidly in the nation in the last two decades. According to the report prepared by International Crisis Group, Madrassas have mushroomed in Bangladesh from around 4100 in 1986 to 64000 by 2004 (www.crisisgroup.org). Since the state educational network is weak and unable to cope with the demands and expectations of the poor especially in rural areas. Hence, the Madrassas are getting space in these areas.

Madrassas have been blamed for spreading religious education and supporting Islamization of the society. The government of Bangladesh is blamed for lack of official supervision of these institutions. There are no state institutions in Bangladesh to monitor and regulate Madrassas. Lack of government oversight of their curriculum, recruitment and outreach has given them excess autonomy. Their funding also outside of the purview of state regulations. The curriculum base is also narrow, religious and conservative and does not impart knowledge in field that is essential for the personality of those who study. Lack of professional knowledge and access of religious study pushes the passing students towards extremist path (Datta 2006). Thus, the Madrassas have not been favoring the democratic values like secularism. In this way they pose a threat to the democratic norms and values.

Left Movement:

Left parties have been consistently present in East Bengal region. After partisan the community party of Pakistan was formed in 1948. It organized some strike among the railway workers in the years of 1950 and 1951. The communist party of Pakistan was banned in 1954 but the communist party in East Pakistan did manage the continued existence as a underground party. The first front organization started by the communist party in East Pakistan was the Youth League formed in 1951. It participated in language movement.

The leftist in the Awami Leage became dissatisfied when Awami League led coalition formed the government in the East Pakistan as well as at the centre in 1956. In a convention called by Maulana Bhashani in September 1957, the National Awami Party was formed. The main aim of this party was to oppose the expansionist activities of America and western world. East Pakistan national Awami party splited into pro-Chinese faction and pro-Soviet faction. There were some other communist parties also in East Pakistan in those years, which were working against the military rule (Maniruzzaman 1975). Apart from these Communist Parties some parties like communist parties of Bangladesh which have socialist inclination were also present in 1960's and 70's. Some radicals like Jatiyo Samaj Tantrik Dal started an armed struggle against Mujib rule in mid

1970's. It splited into two fractions in 80's. In 90's and after words the role of the left parties has not been very much significant in national politics. Their frequent splits, demise of communism in many parts of the world and very less support at the ground level have been the very major factor behind it. Although some of them have been a constant participants in elections but they have never emerged as a force. In last parliamentary elections in the 2001 the percentage of votes secured by Bangladesh communist party was 0.1 percent of the total votes (www.bd-ec.org). Thus, the left parties are not very significant civil society player in present time.

Concluding Remarks

Civil society organisations are not non-partisan in nature. Organisations of professional communities (lawyers, doctors etc), labour unions and student unions are vertically divided and show their intermediation with major political parties. Most of their activities are governed by the related political party and they have little, if any autonomy from the parties (Jahan 2002: 198). Rise of Islam and extremism poses another threat to the civil society in the country. Parties like Jamat–i-Islami and its student wing Islami Chhatro Shibir are gaining support based and strength. Madrasas are not spreading the secular values. From around 4,100 in 1986 they had gone up to 64,000 by 2004; surprisingly there is little government oversight of their curriculum, recruitment and outreach (Datta: 2006). Obviously these developments are not in the favour of civil society in the nation.

Although Bangladesh is said to have a very vibrant and assertive civil society, but these organizations are not problem free in the country. As per Brazilian scholars statement, "The truth is ….that we have simultaneously too much state and too little state" is applicable in the case of Bangladesh also" (Marquior 1993). Sometimes it is too weak, and sometimes it is too repressive. This creates problems for proper growth and functioning of civil society organisations (Khan and Kabir 2002: 29).

The second major problem with the civil society in the country is that these Presence of a vast social capital has been a consistent feature of Bangladeshi society. It has been keeping silence at the most of the time and if needed, it has turned volatile. Growth and evolution

of civil society has been natural as well as occasional. Natural associational activities of the social capital have given birth to civil societies in very obvious ways. While the panic conditions after war and natural calamities have given rise to the civil society occasionally. Presence of vast reservoir of unorganized masses keeps the hopes high for further growth and expansion of civil society organisations in the country.

Questions are being asked about the true democratic nature of civil society organizations in the country. Their partisan character, feudal tendencies among them and rising of extremism in some of them are generating apprehensions about their real goals. Their failure on so many fronts is proving their weakness and less effectiveness in the nation. If they really want to empower the weaker sections of the society and to strengthen the democratic institutions and practices then they will have to overcome the above demerits and to use the vast untapped social capital.

Next chapter will discuss about the state of democracy in Bangladesh and will explain about the democratic institutions, democratic practices and challenges before democracy in the country.

CHAPTER III

STATE OF DEMOCRACY IN BANGLADESH: SCOPE FOR A VIBRANT CIVIL SOCIETY

STATE OF DEMOCRACY IN BANGLADESH: SCOPE FOR A VIBRANT CIVIL SOCIETY

Bangladesh has seen two colonial rules- one by the Britishers (1757-1947) and other by the Pakistan (1947-71) - and two phases of democracy. The second phase of democratization at global level brought the democratic changes in the politics of Bangladesh. Pakistan had liberated from British rule in 1947 and Bangladesh started its journey as a part of Pakistan called as 'East Pakistan'. The year 1947 was very much important for the people of the land because for the first time in their history they had voted for their rules. And thus, they entered into the age of representative governments. But was it really so?

Soon after starting their life as 'East Pakistani' they realized that they are not getting their proper dues for which they fought the war of independence in 1947 and decided to go with West Pakistan. They thought that their worries and needs were not being taken care off and they were not being treated equally. Their language, culture and economic development were of secondary importance for the Pakistani rulers at that time. They entered into a new colonial regime after coming out of the oppression of West Pakistan military-political leaders. And thus, they started struggling against the existing rulers in the leadership of Mujibur Rahman. Since then the debate on democracy came in to focus. However, before analyzing the democratic process in Bangladesh, it is required to know about the major institutions, which are foundations of democracy.

Legislature

Laws for the nation are made by the Jatiyo Sangsad (House of the People), which is a unicameral parliament and legislative branch of the government. Territorial constituencies directly elect the members of the parliament, who must be at least 25 years old. Tenure of the parliament is five years and it must meet at least twice a year. It shall meet within less than thirty days after election results are declared. Session of the parliament is called by the president of the country. A speaker and a deputy speaker are

elected by the assembly to chair its activities. Parliament also appoints a standing committee, a special committee, a secretariat and an ombudsman.

The quorum for the parliament is sixty members, and the decisions are taken by the majority vote. Money bill requires president's approval before it can be introduced in the parliament, while the non-money bills are passed in the parliament first. President can disapprove non-money bills once, but if it again passed by the parliament, it automatically becomes a law. Parliament also has the ability to refuse the national budget or to delay its implementation. It is, therefore, in the best interest of the executive as well as the entire nation that budgets submitted to the parliament should be designed to please the majority of its members.

Executive

The president administers the country through the council of ministers, which is headed by the prime minister, a presidential appointee. One fifth of the members of the cabinet may be person from outside the parliament. This system allows experts to participate in the administration of the country, and the president may attract the influential politicians to his party by offering them prestigious ministerial posts. The number of ministers has, therefore, varied over time, according to presidential political strategies. Due to sudden dismissal or the removal of the ministers, the ministerial secretaries have often wielded a great deal of power because they are experienced and have numerous personal contacts in their field, whereas the ministers are typically professional politicians, who hold office only for a short time.

The implementation of government policies and projects is the duty of the Bangladesh civil services, a corps of the trained administrators, who form the nation's most influential groups of the civilians. Recruitment to the civil services occurs through open competition within a quota system. Forty per cent of all new positions were allotted on the basis of merit; thirty per cent were reserved for former freedom fighters, and twenty per cent were allotted to women. The quotas were distributed among districts on the basis of the population.

Legal System

The legal system in the country is based on the English common law. Islamic family law is applied through the regular court system. The judiciary is organized at two levels, with subordinate courts and a Supreme Court with appellate and High Court divisions. The family courts are the courts of the first instance for personal status, cases of all religious communities, although different religious communities are governed by their own personal status law. The jurisdiction and function of these courts is governed by the Family Court Act 1985. Jurisdiction is limited to family suits, and any criminal offences that arise in the context of civil cases come under the jurisdiction of Criminal or the Magistrates courts.

At the grass root level the judicial system begins with village courts. An aggrieved party make an official petition, which requires a fee, to the chairman of the union council (the administrative division above the village), who may call a session of the village court with himself as chairman and two other judges nominated by each of the parties to the dispute. The majority of the cases end at the village court level, which is inexpensive and which hands down judgments that reflect local opinion and power alignments. If not resolved at this level, the case s go to a government court at the sub-district level, cases may wind their way up from district court to permanent benches of the high court division. Once cases leave the village court, they become expensive affairs that may last for years, and few citizens have the financial resources to fund a lengthy court battle.

Election Commission

Article 180 of the constitution provides for the establishment of the election commission for Bangladesh consisting of a chief election commissioner and such members of other election commissioners, if any, as the president may from time to time direct. Under the constitution the term of office of any election commissioner is five years from the day on which he enters upon office. Its main function is to hold free and fair elections in the country at all the levels. Article 126 of the constitution and article 4 and 5 of the

representation of people order, 1972 provides that it shall be the duty of all executive authorities to assist the election commission in the discharge of its duties.

Political Parties

Bangladesh has number of political parties. Some of these parties have very strong organizational base such as Awami League (AL), Bangladesh Nationalist Party (BNP) and Jammat–e-Islami (JI). These parties have existed and worked as political institutions for long period of time. Although some splits and defections have occurred but they have not harmed these institutions very severely.

Awami League is the party, which came into the existence during the years of war of liberation. This party ruled the nation from 1971 to 1975 just after the independence. Bangladesh nationalist Party and Jatiya Party were formed by the military rulers of the country to contest the elections and legitimize their rule. Left parties such as communist party of Bangladesh were formed by people, who wanted some radical changes in the nation. Parties like Jammat-e- Islami were formed to promote Islamic values in the nation. Splits and defections of various older parties have also given birth many parties like Gana Forum.

The major problem with these parties has been the authoritarian tendency of their leadership in internal as well as domestic politics of the nation. The political parties in the nation do not take their major decisions in their council meetings or in a democratic process. Lack of elections and accountability within a party enhances the chances of growing authoritarianism among the leadership of these parties. Decisions are taken at national level and imposed upon the local committees. Central committees and the party leadership nominate the candidates for all the elections. Thus, lack of internal democracy is very common phenomenon for all these parties.

The authoritarianism developed within these parties has two fold impact on political parties. On the one hand, authoritarian leaders keep their parties person-centered and do not allows or nominate democratic process within a party. On the other hand, when

such a leader gets chance to exercise power, then they repress opposition parties (Khan and Kabir 2002).

These authoritarian tendencies were seen within the few years after independence. Mujibur Rahman's attitude towards the oppositions was not democratic as after the 1973 parliamentary elections. He said, "Now there is no opposition in Bangladesh" (Danik Bangla 1973). This authoritarianism was clearly visible once again by the fourth amendment to the constitution, which changed the parliamentary form of government to an authoritarian presidential system and the multi-party system to one party state (Moniruzzaman 1980).

The founder of the Bangladesh Nationalist Party (BNP) general Ziaur Rahman also remained the centre of power in his party. Moudud Ahmed, who served as a senior member of Zia's cabinet writes: It was not surprising that the party remained completely under the authority of Zia. All these led to the growth of a party centering round a single man" (Ahmed 1995). General Ershad also followed the above mentioned leaders in the case of party affairs. He remained the centre of gravity while in power or in jail (Mahmud 1995). These tendencies of authoritarianism are still visible in the leaders of major political parties like BNP and Awami League. Dr. Kamal Hossian, a veteran Awami League leader, left the party and formed another organization called as Geno Forum due to authoritarian nature of Sheikh Hasina. Shamsul Huda Chowdury of Jatiya Party left the party after seventh parliamentary elections due to some reasons.

These authoritarian tendencies within a party are not favourable for the growth and circulation of new generation of leaders, and for the evolution of parties and dynamic and democratic institutions (Khan and Kabir 2002).

Electoral Politics

Bangladeshi people have shown very deep faith in the electoral politics from the days of independence of nation. Since the war of liberation war fought for the 'self rule', hence this attitude of these people is not unexpected. Different parliamentary elections have shown high percentage of voter's turnout of and wide participation of several parties

and independent candidates in these elections. The number of political parties contesting the first parliamentary elections of 1973 was 14. These numbers were eleven, thirteen, eight, eleven, two and eight in second, third, fourth, fifth, sixth and seventh parliamentary elections respectively (Khan and Kabir 2002).

The high per centage of voting comprising of over 75.59 per cent and large turnout of women voters are further signs of consolidation of electoral politics in Bangladesh. Thirty seats reserved for women in Jatiya Sangsad shows the gender dimension of the electoral politics in Bangladesh. An amendment in 1997 opened the may for direct election of one-third members of Union Parishads in the reserve seats for women. Thus, the women participation at the grassroots level in politics was ensured. The number of women elected as chairs and members in the Union Parishads Elections of 2003 was 22 and 12,882, which was one and zero respectively during the Union Parishads Elections of 1973 (Shefali, Ahmed and Barkdull 2005). The above facts prove that the electoral politics is in a better condition than many South Asian Countries.

The democratic system achieved by Bangladesh in the leadership of Mujibur Rahman did not live for a very long. This regime was thrown out by the military and the father of the nation was assassinated by the miltary. And, thus, the country for the first time went into the autocratic hands of army rulers. Gen Zia-ur-Rahman and his successor Gen. Mohammed Ershad ruled the country nearly one and a half decade. The country could enter into democratic processes only in 1990 when Gen. Ershad vacated the chair due to internal and external pressures.

Bangladesh became a democratic country in 1990. It has been ruled by elected governments since then and the change in government through ballots has become a norm. We have seen three elected governments in Bangladesh since 1990. Country has also evolved a new system of 'care taker government' to manage the election processes, so that elections can be free and fair. This system is totally new for the rest of the countries in the world. But questions are rising about the future of democracy in the country. Will Bangladesh's democratic and electoral practices survive? Will it be able to continue with

this democratic system of government? Is Bangladesh a fragile democracy? etc. Now these factors should be analysed which are giving voice to these kinds of apprehensions for democracy in the country. Major problems related to the democracy in the country can be discussed as follows:

Rise of Fundamentalism

Although Bangladesh began its journey as an independent nation as a secular country, but soon after that the rise of fundamentalism was easily visible in the land. It is very interesting to analyse the factors which pushed the country towards fundamentalism, which got its independence from a nation formed on the same religious ground, and the freedom movement of Bangladesh was not led by religious forces, but by the forces based on economy, culture, political autonomy etc.

History of the country tells that both during the Mughal rule as well as under the British rule religion occupied an important place in Bengali National politics. The 1905 partition of Bengal on communal lines and the granting of separate Muslim electorates prepared an institutional framework for communal identities. Although these provisions did not live long, but they created a division between Hindus and Muslims in Bengal. These events the formation of Muslim League on communal lines also widened this gap between the two communities. Slowly the League started increasing its hold in the Bengal state. As a result, the Bengali Muslims decided to give more importance to religious identity over the lingual identity. And they accepted themselves as 'East Pakistan'. This shows that roots of religious identity are old in this land (Datta: 2004: 19).

The second major factor responsible for the rise of fundamentalism in Bangladesh was the intervention of military regimes in the arena of power. With the assassination of Mujib, his most favorite and strong principle called 'secularism' was also assassinated. The military dictators wanted to legitimize their rule by any means. And at the same time they wanted to bring some new factors in light which can unite the people behind them and can prove Mujib to be wrong. And obviously this factor was religion. Zia-ur-Rehman, mainly, did two things in this direction. First by a constitutional change in 1977 he

replaced the word secularism by 'absolute trust and faith in the almighty Allah'. Secondly, he removed the ban on the Islamic parties and gave them a legal authority to participate in the national politics. He again in another constitutional amendment in 1979 removed the four state principles including secularism, and instead inserted 'Bismillah-ar-rahaman-ar-rahim (in the name of Allah, the beneficent, the merciful)' in the preamble to the constitution (Datta: 2004: 21). His successor Gen Mohammed Ershad continued with this legacy and announced that Islam is the only force which would enable Bangladesh "to live as a nation with distinct identity" (Kamaluddin: 1998: 14). Beyond these historical, imperial and national factors some other regional and global factors have also played a role in the Islamization in Bangladesh. During Mujib's period and after that, Bangladesh started showing its dependency upon the external aid and assistance from the Islamic countries like Saudi Arabia, whose economic aid policies are often linked to Islamic causes. Except this, the Islamic revolution in Iran had an impact on the countries like Bangladesh. The period of 1970s and 1980s is the period of downfall of the second phase of democratization at the global level. And this factor also influenced the politic in Bangladesh.

Because of all the above factors Bangladeshi culture, politics and society all came into the Islamic influence. The rise of fundamentalism was also seen even after restoration of democracy in 1991. Few examples can be cited as –

a) After 1991 the role of Islamic parties likes Jama' ate-Islami has gradually increased in the politics of the country.

b) A number of foreign television channels have been banned by different governments.

c) The violence against the minorities such as Hindu's, Christians etc. has become a frequent phenomenon.

d) The terrorist groups like Al-Qaida are getting very fertile ground for their expansion in the nation. This is easily seen in the cases of bomb-blast in the nation and by the arrest of Bangladesh nationals as terrorist in other countries.

Lack of Responsibility on the part of political leadership

Political leadership i.e. the political parties fall of their duties in two ways- when they are in power and when they are in opposition. While being in opposition the role of any party in a liberal constitutional democracy is to criticize those policies of the government which are not in the national interest and it has to come out with the suggestions to reform or to change the policies. But has it been happening in the case of Bangladesh? The very obvious answer is 'NO'. The parties in opposition are mainly busy with two kinds of businesses. First, they are not ready to accept the popular verdict of the elections. Any party, if the verdict is against it, rejects the verdict. This kind of regular rejection invites international players to play a role in the domestic politics. Weeks before the Jatiya Sangsad elections in 2001 that time U.S. President Jimmy Carter took a public pledge from Sheika Hasina and Begum Khalida that they would accept the results of the elections (Hye 2001). But soon after the elections, Hasina forgot the pledge and within a period of two days after declaration of results, she declared to boycott the parliament.

The second problem associated with the opposition is a logical derivation of its nature associated with the first problem. Since they show lack of confidence in the electoral process, so they do not recognize the government. And the result is absence of the opposition in the parliament. Opposition does not discuss the government policies and criticizes them in the parliament rather they do all these things in the streets. They call for prolonged *hartals,* which causes complete cessation of the public activities. This act of opposition, on the one hand, erases the importance of the parliament as an important discussion forum and as an instrument of checks and balances and, on the other hand, it creates a lot of trouble for the ordinary citizens. Thus, it is both way harming the democracy- by deteriorating the parliament and by troubling the people (Dutta 2004).

Parties harm the democratization process and the essence of the democracy not only when they are in the opposition, but also when they are in the power. Government treats the opposition parties not as the people with different political views, but they treat them as adversary. Hasina, during her term in the office, did not allow the state controlled media to give adequate coverage to the opposition. Begum Khalida after resuming office in

2001 banned a number of Awami League leaders from leaving the country. She also begun the process of revisiting the historiography so that the role of Mujibur Rahman in the freedom struggle can be denounced (Dutta 2004). Hasina charged the government for spending more than TK 3 billion for rewriting history text book in February 2002 (The Independent 2002).

Why are parties avoiding the parliamentary debate? Answer to this question has been given by few analysts by saying that the major parties in the country lack ideological or political differences. According to Afsan Chowdrury "the Awami League and the BNP are two wings of the same party. Barring minor differences there is nothing to show any difference' (Chowdhury: 2002). He explains few more similarities between the two parties like: both the parties to follow the same economic policies. They are mostly run by rich people, who have common business interests. 'Personality worshiping' is a common practice for both the parties and the family members and relatives of the heads always hold important posts in the party and in the government. Streets are considered as a better place of protest than parliament to register the protest. To patronize mastans (ruffians) and satyriasis (terrorists) is very common for both of them and theses are used to silent people if they protest (Dutta: 2004).

Thus, it is evident that personalized nature of ideological differences, boycotting parliament, frequent street protests and hartals, harassment of political opponents, patronage and protection to mastans and anti-social elements are very common and regular phenomena of the party politics in Bangladesh. And this kind of nature and behavior of political parties in Bangladesh has been harming and weakening the democracy in the country since its restoration of democracy in 1990. These demerits on the part of the two national parties are providing space to Jama' as a political alternative which is basically a religious party.

Institution of Caretaker Government-Merits and Demerits

Bangladesh has seen eight Jatiya Sangsad elections and is at the verge of the ninth election. But the problem with most of these elections is that they have been blamed with

irregularities and unfairness. Even the very first parliamentary elections held on 7th March, 1973, in the presence of Mujibur Rahman were also charged with electoral irregularities. In quite a few instances even after local election officials had unofficially announced the opposition candidates elected, they were ultimately deprived of their victory in the official announcement (Ahmed 1984: 142-43). It still remains a puzzle to many as to why the ruling party despite being confident of its victory in the polls, resorted to electoral irregularities. And one finds that this trend of electoral irregularities became prominent in the subsequent years, which practically reduced elections to farce and shows of force in Bangladesh.

Zia, who took over the power from Mujib through a coup, was searching for legal basis as well as popular basis while the opposition to his government was growing up. To overcome the stigma of usurpation and to earn at least a veneer of legitimacy, Zia organised a presidential election in June 1978 with the country under martial law and Zia himself in military uniform. Zia was officially declared elected and as anticipated, the election was not free from rigging, fraud and irregularities. During his successor Ershad period, a public referendum in March 1986, parliamentary polls in May 1986 and March 1988 and a presidential election in October 1986 were held in order to gain political legitimacy and to give the military regime a civilian look. A comparative analysis of the electoral irregularities in Bangladesh before the 1990s clearly reveals that these began with the first Jatiya Sangsad elections, increased gradually in two subsequent Jatiya Sangsad elections and three presidential elections and reached a climax during the fourth Jatiya Sangsad polls. During the military regimes the most common manifestation of irregularities were massive violence and intimidation, capturing of polling centres by hoodlums, stuffing of ballot boxes with false votes, hijacking of ballot boxes ad papers, surreptitious counting and announcement of fabricated official results. Because of these kind of trends demand for a non-party caretaker government (NCG) to supervise parliamentary elections strengthened in the country.

After the restoration of democracy, it was hoped that things would return to the right path. The elections would be held in free and fair manner. But the Magura- 2 by elections, which were won by BNP, crushed these hopes. The opposition raised allegation

of government sponsored rigging intimidation and violence in the by elections. It was also added by the demand for inclusion of a provision of NCG in the constitution for conducting future parliamentary elections. The opposition law makers vowed not to return to the house or attend the meeting of parliamentary standing committees until such a bill was moved by the ruling party. In June 1995 the 147 opposition members resigned from the parliament to pressurize the government for NCG and some other demands.

After the dissolution of fifth parliament the sixth Jatiya Sangsad elections were held in February 1996. All major opposition parties boycotted the elections and, thus, BNP was an obvious winner. But a very strong violent movement was started by opposition parties demanding NCG. In these circumstances with over 95 percent BNP representation, the sixth Jatiya Sangsad passed the 13th Constitutional Amendment Bill, 1996. The amendment made a constitutional provision for NCG to supervise all future parliamentary polls (Hakim 2006).

Thus, in the year 1996 Bangladesh evolved a totally new system of government called as 'care taker government' to hold free, fair and impartial elections in the nation. According to the provisions of the bill, the care taker government would be headed by a retired chief justice or the justice of Supreme Court. It would run the day-to day affairs of the nation and would assist the Election Commission (EC) to hold free and fair elections. All the members of the care taker government should be non-political and should not be members of or affiliated to any political party, so that impartiality can be ensured on the part of this government (Dutta: 70)

Analysis of the institution and functioning of the care taker government gives the following trends:

i)   The institution of 'care taker government' is a new concept for any democracy and so it can be adopted by other countries as well. But the question arises why this kind of mechanism is needed to hold the free and fair elections. It clearly shows that people of Bangladesh do not have faith in the ability of its elected government (obviously which is constituted of one party or by a number of

parties) to hold impartial elections. This kind of distrust is a serious issue for any democracy.

ii)   Although the parties in the nation have been participating in elections during caretaker governments, but they have been raising questions about the impartiality of these elections. The party who loses the election challenges the impartiality of the whole process. In August 2001, a group of politicians and Bangladeshi intellectuals questioned the neutrality of the care-taker government and accused it of supporting a particular party crossing constitutional limits and ignoring their responsibilities (Daily Star 25 August 2001). In 1996 Begum Khaleda accused the head of caretaker government Habibur Rahman saying that "he is not behaving neutrally and himself is not a neutral person" (POT-Bangladesh Series 8 June, 1996, p. 530). These kinds of charges were made against the caretaker government in 2001 polls by the opposition. And in the present crisis of caretaker government is that lack of consensus over the name of ex-chief justice K.M. Hasan. The situation arrived when the President Mr. Tajuddin Ahmad himself took over the charge of the head of care-taker government. And he tried to hold the election within 90 days after the dissolution of the parliament. But after the question being raised about his impartiality, he handed over the charge of the interim government to the ex-chairman of Central Bank Dr. Fakhreddin Ahmed. Mr. Ahmed took the charge on 12th January 2005. He after resuming the office stated a move to erase the corruption from the country. He is being supported by his Army and is saying that elections will be held by the last of next year i.e. 2006.

This drama about care taker government has shown some new trends. For the 1st time the care taker government was headed by any person who is neither ex-chief justice nor justice in the Supreme Court. The elections have been suspended for more than 90 days after the dissolution of the parliament. And nobody is sure when they will be held. These happenings are not in accordance with the 13th Constitutional Amendment.

iii)   Questions had been raised about the duration of the care-taker government. In the case care-taker government is not willing to leave the office within the given time framework then it will have an inverse impact on the process of democratization in the nation. And during the 4th caretaker government this apprehension is becoming true. The current government has passed the 90 days period and till now nobody knows exactly when elections would be held.

iv)   Democracy believes in accountability of the system towards people. But the system of care taker government does not fulfill this condition of the democracy. Although it is responsible for running day to day businesses of the country, but it is not accountable to any popular institution or representative. It is not a very good sign for any democracy that the job which an elected government can not do well is given to a non-elected government.

v)   Care taker government sometimes shows the tendency not to behave in a responsible way. It crosses its power limits and takes political decisions which are not under its purview. For instance latter Rahman government transferred some senior bureaucrats and terminated the contractual jobs given by Sheikh Hasina government. (The Hindu, 27 August 2001).

It should be noticed that even if motives are noble, the care taker government by its nature and definitions does not have the mandate to take political decisions. Such decisions should have been left to the government that comes to power after the elections (Dutta: 2004: 73). The constitutional provisions also put limitations on caretaker government. Article 58 (d) of the constitution explicitly stipulates that the caretaker government "will not take any policy decisions unless it is absolutely necessary for discharging its function" of holding a free and fair election (Dutta2004).

Thus, it can be said that for a very nascent democracy like Bangladesh the system of care taker government is a big achievement. And the country has been able to ensure the

well functioning of this institution. But at the same time this new institution has demerits. But these negative features do not harm democracy in a deep and broad sense. So this new institution, if freed from these limitations can be said to be very vital and useful for democracy in the nation.

Devaluation of Parliament

Bangladesh has established a trend of changing the governments through ballots after 1990, but it has not removed the extra-parliamentary protests and agitations from the scene. The party which loses the election often takes refugee in hartal politics to bring down a government (Hossain: 2000: 508-529). Two governments that of Gen Ershad in 1991 and the Begum Khaleda in 1996 were forced by extra-parliamentary methods to step down and the success of these methods in these two cases has made these methods popular in the country. Most of the parties, when they are in opposition thinks about these kind of protests which causes erosion of parliament. Datta tells that 173 days of hertals were organized by Awami League during Begum Khaleda" first government and 85 days of total stoppage of public activities took place when Sheikh Hasina was in power (Shahabuddin: 1999: 151).

Executive Over-reach

Judiciary is one of the basic pillars of the democracy. And its autonomy from legislature and executive must be ensured for good functioning of the democratic system. In the case of Bangladesh the judiciary does not function independently from the executive and subservient to it. Although the High Court and Supreme Court one relatively independent but the courts at the lower lands function merely as an extension of the executive (Dutta: 75). And this independence of these higher courts is not able to adequately safeguard the rights of the ordinary citizens. Because they are beyond their reach.

Different political parties have been talking about the separation of powers of executive and the judiciary but no concrete measure have been taken. Latifur Rahman in his care taker government tried to do something for the separation of the judiciary from the

executive and the President Ahmad Shahabudeen issued an ordinance to this effect. As the politicians and bureaucrats opposed the move the High Court as well as the Supreme Court of Bangladesh upheld the 12 point directives of the care taker government. In a landmark judgement the Supreme Court set 26 in October 2002 as the deadline to implement the decision but the day came and went without any progress (Dutta: 75). Executive showed its extended power in June 2002, when it unceremoniously removed the President Baddduddozza Chowdhury from the office. The reason for this removal was that the President was not showing enough respect to BNP founder Gen Zia-ur-Rahman (The Independent: 2002).

Criminalization of Politics

Nexus between criminal elements and politicians is clearly visible in the politics of Bangladesh. All the major parties like BNP and Awami League give protection to mastans and other criminal elements. These groups are used by successive governments to suppress the opposition. This kind of politics at the national level has also vitiated the atmosphere of the student politics. The incidence of violence in Bangladesh University of Engineering and Technology has given a chance to the Administration. And in September 2002, some of the prominent universities have banned student politics as a means of restricting the use of weapons within campuses (Dutta: 78). The deteriorating law and order situation had forced the BNP government to deploy the army to fight domestic lawlessness in October 2002. This deployment of army was called as 'Operation Clean Heart'. And this operation should be taken as a lesson by the governments in Bangladesh that if they will not be able to resist and control the criminal elements then once move army may get some more chances.

Status of minorities in the country

Like many other canons status of minorities also presents a canon to measure the process of democratization of any society. Minorities in the Bangladesh are, no doubt, not in a very good position. They are facing the problems of insecurity due to conservative ascendancy in the state. But when compared to other South Asian countries, they are not in very bad state of living. There are three main minority groups in Bangladesh comprising

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about 15 million in total. Hindus and Christian are religious as well as ethnic minority. Hindus form the largest chunk of minorities. Hindus are mostly located in districts bordering India while Chakmas are mainly concentrated in the hills and valleys of the Chittagong Hill Tracts.

An overview of the history tells that during 600 years of Mughal rule in India no major incidences of religious violence or brutalities were noticed in the Bengal region or the rest of the country. The reason behind it was that although being ruler community, there was no organised move by Muslims to proselytize (Ghosh 2005: 247). After their rule also, Bengal was mostly behaving like an ethnic entity based on language. According to social anthropologist Ram Krishna Mukherjee, "Bengali ethnic unit was on the verge of attaining nationhood in the sixteenth-eighteenth century" (Mukherjee 1976: 289). But at this juncture British intervened and owing partly to imperial considerations and partly to societal circumstances, the seeds of Hindu-Muslim cleavage were sown in the land of Bengal (Ghosh 2005: 249). In their political interest Britishers tried to widen this gap by partition of Bengal in 1905. Later on the formation of Muslim league, Jamaat-e-Islam (1941) and Jamaat-i-Ulama-i-Islam (1945) etc strengthened the 'Muslim identity' among the 'Bengali Muslims'. The Calcutta and Noakhali riots at the time of partition and refugees in each others land mauled inter-communal harmony in the region.

But soon after partition the language problem brought these two communities together in East Pakistan against the rulers of the West Pakistan. This language conflict was just a beginning and ultimate result was the liberation of East Pakistan in 1971 form the so-called 'colonialism' of West Pakistan. The most significant aspect of this freedom struggle was the fact that both Muslims and Hindus fought side by side. No wonder, then, that the first constitution of Bangladesh as framed in 1972 was secular in its orientation and content (Ghosh 2005: 250). One thing is to be understood that this linguistic nationalism and secularism were not the only values which nurtured during the years of freedom straggle of Bangladesh. Along with them a parallel stream of Islamic nationalism was also present in the state. This dichotomy of lingual nationalism and religious

nationalism has been explained in terms of Bengali nationalism versus Bangladeshi Nationalism (Jahan1980).

Growth or decline of minority population in any country gives an indication of socio-economic, political changes occurring in the nation and its impact on the minorities. Different census conducted in Bangladesh tells that the minority population has always been declining in the nation since 1947. In the year of 1947, the Hindu population was 23 per cent of the total population of erstwhile East Pakistan. The first census in Bangladesh in 1974 showed a reduction of around 10 per cent in Hindu population as compared to 1947 census. According to 1981 population the percentage has dwindled to 12.1 per cent and at present Hindu population is around 10 per cent of the total population (Bangladesh Census Report 1991). Many reasons were given to explain this declining minority population. Low rate of fertility is the main factor, while the fear of lass of property, under the Vested Property Act of 1974 or fear of communal violence has induced the migration of Hindus from the country.

Although the pro-Islamic forces were active during freedom struggle of Bangladesh but mainly this liberation war was directed by secular values. During the Mujibur Rahman period this value prevailed in the society and so minorities were having a life of honour and safety. But after Mujib, the religious and extremist forces started becoming active in the country and hence the minorities conditions were not as before. Restoration of democracy has also not changed the things very much. Due to growing strength of religious parties and increasing intolerance in the society the life of minorities have become more miserable and unsafe.

A major outbreak of communal violence was witnessed in November 1990 in the country following tension in India in the wake of the Ayodhaya controversy. The attack on Hindus increased dramatically after the 1992 Babri Masjid destruction incident. Some minor incidents were also reported around the 1996 elections as well. But the results of the 2001 elections, which the BNP and its pro-Islamic allies won, led to a totally new trend. Many cases of eviction from land, burning of Hindu temples and property and rape were

reported, resulting in hundreds of Hindus migrating to India (Bismas 2001). According to Hindu leaders in the Hindu-Bouddha-Khristan Qikyo Parished, the situation has now become so bad that they have been forced to assert their Hindu identity lest the community be totally obliterated from the soil of Bangladesh (Ghosh 2006). Indeed, Hindus are not the only targets of communal violence in Bangladesh. In January 1999, for example several hundred persons attacked a place of worship in Koldiar village in Kushtia district belonging to the Ahmadiya sect. The previous April, a violent mob attacked a catholic school in Dhaka following a property dispute (Dutta 2004).

Minority representation in the country in public life also presents a very dismal picture. In eighth parliament, out of 300 elected parliamentary seats, minority members hold only seven. Neither of the BNP government had any minority minister. At present, there is not a single minority community Ambassador or Vice Chancellor of a public university. In the police department, minority representation is 3 percent while in the Army and the Bangladesh Rifles it is low as one percent (Ghosh 2006: 253).

Fate of the Chakmas has also been the same in the country. Due to government policies and development projects, they have been migrating to neighbouring Indian states from time to time. No adequate measures have been taken by any government in Bangladesh to resolve the problem. During Mujib's period their grievances were not taken care off because they were not ready to accept the Bengali national identity. And the military regimes, accompanied by the rise of the Islam, left Chakmas out of development process thinking them as non Muslims (Dutta2004). Between 1979 to 83, 400,000 Bengali Muslims were settled in Chakma Hill Tract area, which undermined the socio-ethnic fabric of the area. Later on these new settlers, joining hands with the military, perpetrated massacres, which drew widespread attention and condemnation (Ahsan and Chakma1989:957).

On 2 December 1997 an agreement was signed between the Parbattya Chatagram Jana Sanghati or PCJSS (United Peoples Party of Chittagong Hill Tract) and Sheikh Hasina. This accord, to some level, fulfills the Chakma demand for autonomy. But in the

atmosphere of protests the main opposition party, the BNP, saw the accord as the violation of the constitution. Because it 'surrenders one tenth of the country's territory and sovereignty (Asian Recorder, 1998). After coming to the power in 2001, the BNP-led coalition government tried to seek a judicial review of the Accord (Daily Star, 2001). But in July 2003, showing some departure from its erstwhile hard-line stand, that time Law Minister of Bangladesh promised to introduce necessary amendments to the constitution to implement some of the provisions of the Accord (Dutta, 2004).

Above facts and analyses shows that minorities in Bangladesh have not been living safely and happily inn the country since its independence. They have not been able to enjoy equal rights and freedom in the nation. Gradually the nation has shown the tendency of movement towards majoritarianism. With the rise of religious parties and extremist groups, the minorities life has become more miserable and poor. The atmosphere of the country has not been conducive for the protection of the minority rights. Thus the country, although declaring itself as democratic, is still away from becoming a true democracy.

Conclusion

Although restoration of democracy had taken place in the country, but consolidation of democracy is in process. Poverty, illiteracy, unemployment, rise of extremism etc are hurdles to the democratic process. Proper functioning of parliament, rule of law, separation of power, healthy political atmosphere etc are lacking in the country which present institutional problems for strengthening of democracy. But the picture is not disappointing all around. Civil society organizations like NGOs, media and professional groups are working well in different sectors of political, social and economical life. Large number of voter's turnout at polling booths shows the faith of the people in democratic practices. Thus it can be said that, these problems are very much obvious for a nascent democracy like Bangladesh if its socio-political-economic and cultural past is taken into consideration. Hence, hopes are very high that democracy will survive and consolidate in the country.

Next chapter will look into the different roles played by the civil society organizations to strength the democracy in the nation.

CHAPTER IV

ROLE OF CIVIL SOCIETY IN STRENGTHENING DEMOCRACY IN BANGLADESH SINCE 1990

ROLE OF CIVIL SOCIETY IN STRENGTHENING DEMOCRACY IN BANGLADESH SINCE 1990

Civil society and democracy can not be totally bound or insulated from each other. These can neither be perfectly dependent nor purely free in mutual relations. The authoritarian or dictatorial regimes are not very much favorable to the growth of vibrant civil society and it is also true for some of the democracies like peoples democracy of communist regimes. Generally, the favourable atmosphere for the growth and expansion of vibrant civil society is provided by liberal democracies like West European countries. In reverse, civil society organizations strengthen the democratic values and practices in these countries by their activities. But there have been examples, where democracy has flourished without very assertive civil society, for instance in Japan and France. Thus it can be said that liberal constitutional democracy and civil society are supportive to each other, but not necessarily and always.

Developing countries, which have adopted liberal constitutional form of governments, present a unique case for studying the relationship of democracy and civil society. The new governmental set-up of these countries provides the political and legal framework that institutionalizes the normative prerequisites of rights, freedom, and the rule of law. Within these frameworks the meaningful implementation of civil rights is possible, which arguably constitutes the core of civil society. Thus the new political set up of these countries provides the atmosphere which is needed for the growth of civil society. But the historical, social and cultural set up of these societies carry such prejudices like caste, race, religion, ethnicity etc, which hinders the reach of these civil rights to every individual. And thus the proper growth of civil society organizations is negatively affected. Yet common masses of some of these countries have shown enough courage and rationality to come out of these preconceived notions and they have converted themselves into different kind of associational life, such as NGOs, self help groups, professional groups (like doctors, lawyers), media groups etc., to ensure the availability of these civil rights and human rights to each and every individual of their society.

Civil society played very important role during the liberation war. After independence their first presence was seen I the movement against Ershad. In a bloodless coup on 24 March 1982, Ershad overthrew the government of Abdus Sattar, which was overwhelmingly mandated by the people five months before. After resuming power he tried to depute his army men on important positions in executive to make them satisfied. While Ershad managed to get the support of the armed forces he could not do so with the different constituent of the civil society. Due to toppling an elected government and taking many controversial decisions, his regime was not accepted by majority of people. Thus his nine years tenure can be described as Ershad's attempt to win the civil society which ultimately ended in the end of his authoritarian regime (Moniruzzaman 1994: 139).

Due to his controversial policies, which were directly affecting some of the civil society players Ershad came in sharp conflict with these elements. Although most of these conflicts and their outcomes have been discussed in the last chapter but it will be relevant to have a fresh look on them here again. 'New Education Policy' of the government, which restricted higher education to only talented students, invited strong student movement against government. All Party Committee of students led to seize the Education Directorate building 14 February 1983. This incident was followed by severe repression of students resulting in the death of many of them and shutdown of educational institutions (Ahmed 1998: 68). But the student opposition to this government continued till the suspension of this policy and even after that (Moniruzzaman 1994: 140).

Another critical sector of the civil society, which came into sharp collision with the Ershad's government, was the lawyers of Dhaka Supreme Court. Expansion of permanent benches for the High Court division of Supreme Court to six new cities angered the lawyers. First they boycotted the session of the Supreme Court and later on started demanding resignation of Ershad (Huq 2004: 70). Sramik Karmachari Oikkaya Parishad (United Front of Workers and Employees), the major federation of trade unions, started an agitation against the government in November 1984 when government reneged its position to some pre agreed labour issues. This agitation was crushed by the government. Later on these trade unions joined hands with the anti-Ershad movement led by opposition parties.

Moving forward Ershad came out with a three fold strategy about the cultural field of the nation. He tried to exercise control over the cultural workers through this strategy. Firstly he encouraged and promoted some intellectuals to launch some programme designed to create confusion and frustration among cultural workers. His second agenda in cultural sphere was to enhance state control over diverse cultural activities. Lastly, his motto was to liquidate the authentic cultural tradition of the people of Bangladesh (Mamoon 1998: 251). Here Ershad oversimplified the fact that the vibrant cultural tradition of Bengali people will be suppressed or weakened by these kinds of manoeuvres. A committee was set up by a number of cultural organizations in 1983 to fight above policies. They came out with a statement which demanded for immediate withdrawal of martial law, restoration of freedom of speech and press, judicial independence, removal of restrictions upon political activities, release of political prisoners, and a peaceful transfer of power to representatives of the people through fair elections (Huq 2004: 73).

Viewing this deteriorating situation of the nation civil society joined the movement to throw out this military regime out of power. In March 1987 thirty one intellectuals of the nation demanded for the establishment of a non-party interim government to hold the free and fair election. A democratic set up had become need of the hour, because it was the only way in which all the institutions, crucial for the sustenance of a vibrant civil society would be able to survive. Civil society members were the part of the popular upsurge in late 1987 and early 1988, which came in opposition to the governments attempt to induct army officers into the district councils (Huq 2004: 75).

Last struggle against the Army rule saw the full fledged participation of all the sections of the civil society. Students formed "All Party Students Unity" (APSU) comprising 22 major student organizations to support the agitation. This APSU played a vital role in this agitation till last date along with the major political forces of those days. Major dailies and weeklies acted as the spearheads of the civil society in this movement. They exposed the acts of corruption/coercion committed by Ershad and publicised the misdeeds of the Ershad and his lackeys. Publication of newspapers was stopped against the state of emergency in November 1990. Thus these were strengthening others, mentally

and morally to fight this corrupt and anti-people regime (Mamoon 1998: 264).

An important feature of the 1990 was upsurge was the absence of organized laborers in the territory sector (e.g. workers in agriculture, trade and industry, as also men on the street, especially in cities). This was fought by combined efforts of primary political actors (politicians, bureaucrats, businessmen, and landowners) and secondary political actors (members of learned professions, e.g. lawyers, doctors, artists, journalists, teachers etc). Thus it can be said that active participation of the civil society ensured the collapse of the autocracy in Bangladesh in 1990.

For democracy to flourish in any society, the primary requirement is the presence of strong and proper political institutions and processes. Civil society players in Bangladesh have contributed significantly in this filed prior to independence and during military regimes also. After restoration of democracy in 1991 their goal has become to strengthen democratic processes and to ensure the proper functioning of institutions by empowering masses by different methods. NGOs have worked in political sphere to ensure the fulfillment of above needs.

Generally the significance of NGOs in the political sphere has been identified in three ways. Firstly the NGOs have been at the center of the political debate about issues of national identity and in particular whether it should be established upon secular or Islamic principles. Obviously most of the NGOs stand towards secularism and some confrontation have occurred between them and Jamaat-e-islami. Their second importance is that they have promoted and generated such ideas and practices that sought to free for people from oppressive and subordinating relationship. Through their micro-credit programme and self help group strategies, they have changed the traditional patron-client relationship, which was basically economic in nature but had political implications also. The poor clients were expected to offer political support and loyalty for the economic helps to their respective patrons (Devine 2006: 81). Their third contribution is in the emergence of a non-party political formation capable of supporting the poor in their struggle of improved rights, entitlements and so forth (Karim 1991: 32).

NGOs participation in the political arena was clearly visible in the 1996 political turmoil. A large member of NGOs leaders participated in the activities of the 'Janatar Mancha' (People's Platform), which was created to oppose the validity of 15 February Jatiya Sangsad elections through non-cooperative means. Their participation reached its climax when ADAB, the country's main NGO umbrella body, convoked a citizen's rally. This rally was a huge success with more than 1,00,000 attendants. Bangladesh had never seen such a huge gathering in recent past (Devine 2006: 83).

With the collective efforts of political actors and members of the civil society new elections were announced for Jatiya Sangsad. NGOs continued to play significant role in the ensuing political process. They worked on three major fronts. Firstly 'fair election monitoring alliance' was created with the help of ADAB, which became a national platform for monitoring the election process. Secondly, a countrywide education programme was formulated and it was delivered to around 20 million citizens at the grassroots level. Thirdly an advocacy programme was started which identified key development issues particularly pertinent to Bangladesh (Devine 1996). A charter named as 'The Citizen's Charter' was formulated and it was delivered to all electoral candidates who attended the local public meetings organized by NGOs to discuss the identified issues.

This direct participation of NGOs in the election process took place for the first time in Bangladesh. This kind of multilevel participation was not seen in the past. And ultimately this whole effort was not worthless. It caused 74 percent of the electorate turnout at the poling booths, which was exceptionally high. More interesting fact was that female participation has also increased significantly. These elections were acknowledged by various national and international observers as free and fair. NGOs' participation was also noticed in this activity. Due to NGOs' opposition to 'fundamentalism', Jamaat-e-islami suffered heavy losses in the elections. Above observations tell that civil society players can play very vital role in reforming and strengthening the political process like election etc. They expand and deepen the democratic values at the same time.

Thus micro-credit programmes of NGOs have become a major factor in poverty alleviation and economic upliftment of the rural poor masses of the Bangladesh. These programmes differ from the government initiatives and moneylenders in many ways. NGOs run this program with not an aim of profit making but with a goal to make the poor people self-dependent in economic sense. They do not end their duty by only providing fund through this program, but they also teach the people how to make an effective use of this money for their upliftment and betterment. Thus this economic activity has a vision to change the nation.

They have worked hard in the areas of literacy also. There are over 400 NGOs in Bangladesh today involved with providing basic education (Sharafuddin). 8.5 % of the educational system is constituted by NGOs and the number of the schools run by them has increased four times since 1990. It is also widely accepted that the effectiveness of these schools in this field is more than the rest of the schools. Bangladesh Rural Advancement Committee has been running thousands of schools which deliver education at the primary level. Today there are more than 40,000 BRAC schools attended by over one million children. (Kabeer 2003: 293)

Thus it is evident that the contribution of NGOs in the social sector has been very significant. Their different activities have empowered the weaker and deprived section of the society on the one hand and have broken the traditional exploiting bonds of patriarchy, feudalism and patron-client relations on the other. These are totally new trends in the society of a developing nation like Bangladesh. No doubt, the credit for these changes goes to the civil society of the country.

Problems with NGOs

NGOs have been the major player in the Bangladesh among all its constituents. They have worked in the all sectors of the life- political, social and economical in the recent past years. Their activities have been recognized and acclaimed by many national and international players and institutions. There hard work has been able to change some concrete realities of the nation. But have they been working without charges? Are their activities free from criticism? Should they get full marks for all their activities and

practices? No, some of their practices have been going against the values and institutions of democracy.

Their entry into the political arena has caused some positive changes for the democracy. But it also had some negative sides. After playing an active and pivotal role in the 1996 parliamentary elections, the NGO sector is now more divided of the partisan lines than it has ever been in its history and as a consequence of this party line division the Association of Development Agencies in Bangladesh (ADAB) collapsed. This institution had been acting as a national coordinating body for all the NGOs in the country for many years. The main cause of this break-up was the disagreement among the NGOs leaders about it and how to engage with the main political parties during the 2001 national elections. Such a decision to engaged so directly in the election process had its own impact on the NGO community and this impact's implications are seen till today (Devine 2006: 80).

As a consequence of this partisan politics many NGOs were accused of misusing funds by the ruling party after the 2001 elections. Some investigations were conducted by the government against these NGOs. Due to lack of funds some NGOs had to suspend many of their activities. The development strategy of NGOs has also been criticized by few. Arguments have been given saying that the promotion of NGOs in Bangladesh constitutes a misplaced development strategy. It is so because the way NGOs runs their development strategies, they crowd out some of the civil society players which had played an important role in establishing the rights of the poor in the history. These kinds of civil society players include youth clubs, local cooperatives, cultural organizations, media groups peasant associations, mosque committees and others. The NGOs development policies are said to be misplaced because it reduces the chances of class struggle (Hashemi and Hasan 1999).

The next change on the NGOs community is that they have developed the tendencies like feudalism and hierarchy among themselves. Due to direct donor funding, concentration of power and resources have taken place. A large sum of money and

resources are observed by very few big NGOs while majority of them have access to very small among of capital and other resources. (Key 2000: 452). Except this, the principle of accountability is not followed in their intra-activities. Most Bangladesh NGOs are controlled by one person who is not accountable to an independent group of trustees (Shelley).

NGOs also loose their autonomy when they participate in the partisan politics and show close association with any party. NGOs were away form party politics in the decades of 70s and 80s. During these decades their main focus was restoration and strengthening of democracy. But after 1990 they became a victim of partisan politics. Not only NGOs but most of the members of the civil society are vertically divided on party line. This prohibits them to take a strong public stand in order to maintain their moral authority at the crucial periods (Kay 2000: 453).

Role of media:

Media has been a constant civil society player in Bangladesh since the period of war of liberation. It has worked to awaken the people against the dictatorial regimes during post independence era and military regimes of 80s and 90s. After the restoration of democracy its main purpose became to aware the masses about government policies and activities and to inform them about alternative views and paths which can strengthen the democratic values in the nation.

It has always played a significant and brave role during the worst crisis periods of the nation. The national movement in the sixties would be incomplete without the role of media being taken into account. Even during the dark days of country's liberation war, the underground media activities were the source of inspiration and direction for the people to fight against the autocratic rule. After the independence, the media has been consistently criticizing the government for its activities which were anti-people and anti-democratic in nature. It again showed its deep faith in democracy by joining the mass upsurge of 1990 against Ershad's regime. The strike of journalist to resist government censorship galvanized the opposition to the autocracy.

In the words of Barrister Maudud Ahmed, the incumbent law minister and a key man of the government of the deposed president general Ershad that fell in December 1990 under a popular upheaval, was once quoted as saying "had it not been for the press strike, our government would have survived" (chowdhury 2003). This shows the strength and deep faith of media in democracy. It can fight to any level to restore democracy in the nation.

Bangladesh saw a new form of media activities after restoration of democracy. The new dailies, which stormed the market place in 90s, introduced the idea of 'investigative reporting' with them. This kind of reporting was done to find out the irregularities and corruption in government institutions and processes. Later half of the nineties brought 'modern journalism' in Bangladesh. When rich and powerful started investing heavily in media sector, with an eye towards increasing their influence in business negotiations, there was the need to promote larger visions for the industry. This gave birth to the modern journalism. Thus the main aim of this kind of journalism is to have an unbiased and independent opinion about the matters so that the deals, negotiations or policies at higher level do not serve the interest of few powerful, but serve the interest of whole nation and people of the country (Saleh 2007). Thus these two developments in media sector have strengthened the democracy in the nation.

In the current crisis media has come out with a totally new trend. Media which has been fighting for the democratic values has not been criticizing the military supported caretaker government. The main reason behind this move by larger media community seems to be its support for anti-corruption measures taken by this government, since the most of the political leaders and bureaucrats are deeply involved into the corruption activities. So, media is trying to support the democratic values like transparency, accountability and rule of law, by supporting the care taker government policies. Thus although being partisan in nature and facing financial crisis and threats of many kinds, the media is determined to support and strengthen the democratic values and ethos in the country.

Role of Student's Politics and Teacher's Politics

Students unions are one of the main civil society players in the country which have always stood to resist and remove any undemocratic power from the political arena. They have created a great history of leading some important movements for democracy and people's rule in the country. They have never shown the back to these kinds of activities. Their leadership and participation in democratic movements have always proved their importance and relevance for such movements in the country. They have also become the source of inspiration for other such associations for becoming a part of these kinds of movements.

The liberation war of the country was led by students at many occasions. Their participation in the language movement gave new strength to this movement. They also showed active participation in the six point revolution, which was severely crushed by the government. This resulted in the deaths of many of them but they did not leave the battle field. With the detention of Sheikh Mujibur Rahman and other prominent leaders of the Awami League in 1966, the leadership of the Bengali nationalist movement again fell upon the students. The East Bengal Student Action Committee, which was a combined body of Students League and Students Union started leading the nationalist movement. They drew up an eleven point program and launched a movement against the Ayub government. Till the release of Mujibur Rahman in 1969, the Bengal Student Action Committee was successfully leading the movement. In the final battlefields of 1970 and 1971 students presence was notable. During this long period, they lost many of their friends but they never left, until they achieved the final goal of democracy and self rule. It shows that the students unions in Bangladesh have a good record of fighting against the undemocratic governments.

They again proved their loyalty to democratic values when they played and important role to ouster the anti-people and anti-democratic military regime of Ershad. They started their movement against this government in 1982. Later on they formed an All Party Committee of Students to fight against the autocratic rule. They lost some of their

close associates during this battle also, but they did not leave until they got the final success in 1990 by throwing this government out of power (Huq 2004).

Students unions of the country became a victim of dirty partisan politics after restoration of democracy. They lost, almost all their ethos to fight against anti-democratic activities of the government and to save the people's interest in the nation. Rather than fighting for the interest of the people and nation, they fight for the interest of their mother parties. If any popular movement is started by any student group, then the student front of that time government tries to suppress these movements any how. The success of such suppression tactics, in fact has become a prestige issue for the ruling camps as they try to imprint the pages of history with claims that no movement supported by opposition student front were allowed to be waged during their rule (Daily Star 2005).

Anti-social and criminal activities have become a part of the students' politics. Students' leaders are involved in various heinous crimes and very rarely they have time to raise and fight for the genuine demands of the student community. Students' politics which is presently in its most belligerent form is no doubt responsible to a great extent for making the public universities paralyzed. In fact higher education in the public universities are now held hostage to politics.

The student leaders interfere in day to day activities of hostels. Hence, the students who have entered the public universities with a genuine intention for higher education are also prevented from doing so as they are forced to live in an atmosphere totally hostile to such pursuit. Thus, students' politics in Bangladesh has totally deviated from its path. Students' politics should focus on promotion of academic pursuits, research and building up of leadership. But in Bangladesh it is in the trap of partisan politics and criminalization.

The current care taker government has tried to understand the seriousness of the matter and hence it has initiated a move for a permanent ban on the student politics of public universities and colleges in a bid to restore proper academic atmosphere in the institutions of higher education (Daily Star 2007). The law advisor recommended a set of

proposals related to party affiliated student politics to the election commission on the 1st may (Daily Star 2007). Indeed, it is time to acknowledge the fact that this kind of student politics is not in the interest of nation, nor the students themselves. If the student unions again want to stand for democratic values and interest of student community, then they must look into the glorious tradition of their own, when there was no formal student wing of political parties. Hopes should be there, that the students would not take the proposed changes as a restriction but as an opportunity which provides the students a scope to break out of fetters of partisan politics and follow the dictates of their own conscience.

University and college teachers in Bangladesh have been raising their voices for democracy from time to time. During the liberation war and during the anti-Ershad movement, they were guiding and inspiring the nation by their ideas and activities. Before 1996 parliamentary polls, the Awami league chief Sheikh Hasina appealed to all teachers, irrespective of their political convictions, to resist unilaterally the ruling BNP government's bid to hold one party show election for the sake of safeguarding the democracy and the rights of the people(Morning Sun 1996). This shows that the teachers were considered to be pro-democratic elements in the nation. After the elections, sixty three teachers of the Jahangir Nagar University expressed deep concern to the post election violence in the country and called for fresh polls (New Nation 1996). With these kinds of activities and demands the teachers have been consistently strengthening the democratic process in the country.

In spite of all their goodness, the teachers union in the nation has also become a victim of partisan politics. This has harmed the campus atmosphere and academic activities. The 20- year Strategic Plan prepared by the UGC, for higher education, called as "Strategic Plan for Higher Education in Bangladesh" includes the suggestion to ban the party based students' politics and teachers' politics in the campuses. This has promoted the care-taker government to initiate a move for a permanent ban on politics by teachers (Daily Star 2007).

Although this move of the government can not be supported as it is, but it has become necessary to stop the partisan politics among the teachers. This is due to the concern of the academic atmosphere and the discipline in the public universities. At the same time it deviate the teachers from their duty - to form a literate and moral society which ultimately strengthens the democratic culture of the nation.

Role of Trade Unions:

Another civil society unit, which has played an important role in establishing and strengthening the democratic values in the country, is the trade unions. These unions played an important role in the war of liberation in the decades of 60s and 70s. They were always part of the mass movements and mass upheavals, which ultimately established self rule and democratic government in 1971(Hye 2000).

The second major role played by the trade unions was seen in the movement against the Ershad government. The Sramik Karmachari Oikkay Parishad (United Front of Workers and Employees), which was an organization of sixteen workers federation started a general strike against government policies, related to banks, labour unions and minimum wages. These trade unions further participated in the movement against this regime. In 1987 onwards, they coordinated with anti Ershad opposition parties (http://countrystudies.us/bangladesh). Thus the trade unions were integral part of the democracy restoration movement.

But the role of the trade unions after restoration of democracy has not been encouraging. Most of the trade unions are not effective in achieving the objective for which they have been constituted. They are highly politicized and this creates such insurmountable obstacles as ideological conflicts among the members with divergent interests, multiplicity of trade unions, inter and intra union rivalries, financial weakness, outside leadership and absence of functional unity among the workers. Political differences and regionalism has divided the workers into heterogeneous groups. Workers links to political parties, especially to a party in power, is the main cause of unruly trade unionism

in Bangladesh. Thus the role of trade unions can not be said to be very positive for democratic developments of the country.

This state of trade unions has raised questions about the real goal for the society. The only ones to suffer, due to this partisan politics, are none else the labourers. Interests of the labourers were sacrificed at the altar of partisan politics and functional tussle had gone against the interest not only the labourers but also the industries and consequently the nation. Due to these circumstances the law advisor has sent a proposal to election commission which discusses about the party affiliated trade union politics (Daily Star 2007). These proposals are similar to the proposals for student politics proposals. So, these proposals have to be accepted warmly by different civil society elements in the interest of the nation, its people and democracy.

Role of Left parties as civil society players:

Left parties have long history of their presence in Bangladesh. Through out their existence, they have been fighting for the cause of radical politics and democratic values. The economic difficulties facing workers and peasants and the persistent alienation of the intellectuals has provided fertile ground for the growth of radical politics and left organizations in the nation.

During the years of liberation war, a large number of left organizations were active in the country. Few believed in radical politics and bloody revolution to change the political and social realities, while the others like communist party of Bangladesh were reformist in nature. Communist party of Bangladesh, its major constituents and other left parties were constant associates of Awami league during the liberation war. They fought for independence and democracy. During the Mujib rule some radical left organization were fighting against the government because they are not satisfied with the democratic institutions and processes at that time. But later on they split in many groups (http://countrystudies.us/bangladesh). Decline of Maoism in china and presence of military rule weakened and lessened the left activism in the nation. But communist party of Bangladesh and few more have shown their constant presence in parliamentary elections.

Communist party is the part of eight party alliance led by Awami League, who was fighting for restoration of democracy in 90's.

Left parties have not been very active players in the national politics after 1990. Although they have participated in the elections and have won some seats but their activities have not been matters of regular and consistent political character. Demise of Soviet Union and change in the communist regimes of Eastern Europe has been a major factor for weakening and low activism of left groups in the Bangladesh. Because these two incidents have caused the lack of motivational force and support for this groups.

Rise of extremism and fundamentalist value have been the second major cause for weakening of left politics in Bangladesh. Fundamentalism has reduced the ground for secular values and their practices. It has also reduced the sphere of reason based politics. Thus the left groups have lost a lot, because reason based politics and secularism of two pillars of left politics. Expansion of NGOs and their activities has also negatively affected the space for left politics, because most of the NGOs' activities are liberal in nature. The last main factor behind the weak left politics in the nation is the lack of unity among them.

Some other civil society players, which have strengthen the democratic values in the nation are bar associations, human right groups, etc. bar association played a vital role during the Ershads ouster movement. But after 1990, they are also in the trap of partisan politics and hence their activities as civil society players have not been very fair for strengthening democratic ethos. Human rights associations have played a crucial role in protecting the fundamental rights of the people in the country. All though they are not well institutionalized as Bangladesh does not has a national human rights commission, but their activities have been noticed at many occasions. In December 1995 a human right organization 'civic watch' demanded for resolution of political crisis and free and fair elections (Daily Star 1995). In the present scenario some groups are demanding 'Right to Information' for transparency and accountability to be ensured in government processes.

CHAPTER V
CONCLUSION

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Participation in the independent movement of the Indian sub- continent and war of liberation of their own nation, within a period of half century, shows the spirit and deep faith of Bangladeshi people in democratic values. Ultimately, they started with their own democratic government in Dhaka in 1971 under the leadership of Sheikh Mujibur Rahman. Thus the dream of centuries became a reality in their land. They thought that they have reached to their destiny. But was it really so? Had the nation really incorporated the democratic values in their political institutions, political processes, social norms and traditions. Answers to the above questions were given within few years when military of the same nation captured the political power in 1975. It ruled for nearly one and half decade. Then the democracy was restored in the nation in 1990. But still the questions and apprehensions are being raised about the nature and future of this democracy.

Bangladesh has adopted a liberal, constitutional, parliamentary framework for government. Jatiyo Sangsad (Parliament) is the supreme law making body, whose members are elected after every five years through universal adult franchise system. Executive comprises of president and cabinet and a large number of civil servants who are responsible for implementation of government policies. Executive is accountable to legislature. A legal system for protection of fundamental rights and rest of constitutional values is present. A large number of political parties have been participating in elections which are held under the supervision of neutral caretaker government. Thus, almost all institutional provisions have been made to ensure the well functioning of democracy.

But the mere institutionalization has not been able to ensure the proper functioning of democracy. Large numbers of problems are visible in its functioning. Although the country has the parliament, but it has been very rarely used by its members for discussions about the public policies. The opposition parties have become habitual of boycotting the supreme law making body. They do not like to critically analyze the government policies inside parliament, but they go for long hartals and street protests. The second most important institution of the government, executive becomes extra powerful in the absence

of opposition in the parliament. This organ of government also interferes in the matters of judiciary.

Political parties do not perform their duties well. Their main aim seems to enjoy the political power and not to act in the interest of nation and its people. Their leaders have developed authoritarian kind of tendencies and hence their internal functioning is also not democratic in nature. The institution of care taker government is also not problem free. Its neutrality has been questioned many times. Since it is not accountable to any representative body or constitutional institution, hence there are no systems to check and limit its authority.

Rise of fundamentalism has raised many questions about the secular and democratic ethos of the nation and its institutions. This has created an atmosphere of fear and non brotherhood in the country. It is strengthening its roots at the political as well as social level. Few Islamic parties are present in today's Bangladesh, who have good hold among people at ground level and these are important players in the formation of governments. Due to religious extremism, the minorities are being threatened and harassed frequently. It has caused large number of migration to neighboring countries. The politics also given space to the criminal elements. Many such elements are given patronage by political parties for their vested interest. This tendency is generating disinterest in the large section of society for party politics.

When political institution do not appear to be capable of holding the democratic ethos and to strengthen the democratic values. The civil society players such as NGOs, media, student union, teachers union, trade union, bar association and human right groups are able to keep the hopes alive. They have played essential role in many fields of social and political life. NGOs, being the most important civil society player, have worked on social, political and economic fronts. In the political arena, they have run the voters training program, try to ensure women participation in politics at various levels. Their members have contested elections whenever they think it necessary. In the economic field, their main focus has been the micro credit program through which they have tried to

improve the life conditions of millions of rural population. In the social sector their main thrust has been on health and family planning programmes and educational programmes. Thus they have played a significant role to ensure the upliftment of society.

The media the fourth pillar of the democracy has also been a very active and constant player since the liberation war period. It has played a vital role during liberation war and participated in the movement which have been launched to ouster the military regimes. After the restoration of democracy it has been critically analyzing all the government policies. By awaring and awakening people it has promoted them to make their leaders and governments more honest, accountable and transparent.

Students union, teachers union and trade union have glorious past in the nation. They have been the leading organizations during the liberation war period. Without them it could have been very difficult to liberate the nation. They always filled up the gaps of parties and their leaders, when parties were banned and leaders were arrested. They played an equally important role in the movements, which decided the fate of military rulers. But they themselves have become victim of partisan politics after 1990. Now they show the first loyalty to their parties and do not care about national interest. This nature of these civil society players has weakened the democratic values of the country. The major force of the country, which used to stand against the vested interest politics are now itself in its trap.

Left parties are also not in the condition to make any significant change which will strengthen the democratic values and norms. Some civil society players like human rights groups and different kind of advocacy groups have emerged in past few years. But not in position to make any change to social and political realities in recent future. In these circumstances the civil society players need to take few steps to make themselves more vibrant and assertive so that they can solve some of the problems of the country. For this they will have to utilize the vast untapped social capital which country has. They will have to establish coordination among their different activities so that they can have long term impacts. They also need to have more visionary activities to reconstruct the political parties

and to empower the deprived to challenge the social dominance of the elites. No doubt, the above changes made by civil society players will give more importance and relevance to their activities for strengthening democratic norms and values in Bangladesh.

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