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*Democratic Transition in Bangladesh: Challenges
towards Consolidated Democracy*

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Democratic Transition in Bangladesh: Challenges towards Consolidated Democracy

Md. Harun Or Rashid¹

1. Preface

The past decades have witnessed the most remarkable development toward democracy which is often referred as the 'Third Wave'. In fact, the literature on democracy in terms of 'transition theory' provides various analytical frameworks for a comparative study of regime transformations identifying variables to explain outcomes. Transition is therefore very critical for democratic process although its subsequent consolidation often remains complicated and incomplete in most countries of Asia and Africa. In the beginning of third wave of democratization in 1974, the number of electoral democracies in the world stood at thirty nine, whereas by the mid 1990s over five dozen democracies were created or restored (Megan, 2009). In 1974 all thirty nine democracies in the world were ranked as 'Free States'² by the Freedom House Index, whereas the number rose to 117 by 2003 and only 88 qualified as free. However, during the later period of third wave in the 1990s, the world witnessed the explosion of so called "hybrid regimes", meaning states that fulfill the minimal conditions of electoral democracy. In such regimes, there is clear lack of essential attributes of liberal democracy although principal positions of political power are decided by a periodic, and 'so-called' free and fair elections. However, most of these democracies are not as a consequence of the demand of an enlightened group of citizens, rather different domestic vested groups of socio-political actors dominated the transition of democracy here. Kisielowski and LeDoux also argued that during the third wave, movements toward or away from democracy is not exclusively the domestic product, nor do they originated strictly from international institutions or other nations, rather, they are part of a combination of forces acting within states, between states, and between institutions and states. In addition, these forces do not always have equal weight in terms of the amount of influence that they exert upon a regime toward or away from a democratic order (Kisielowski and LeDoux, 2002).

2. What is Democratic Transition

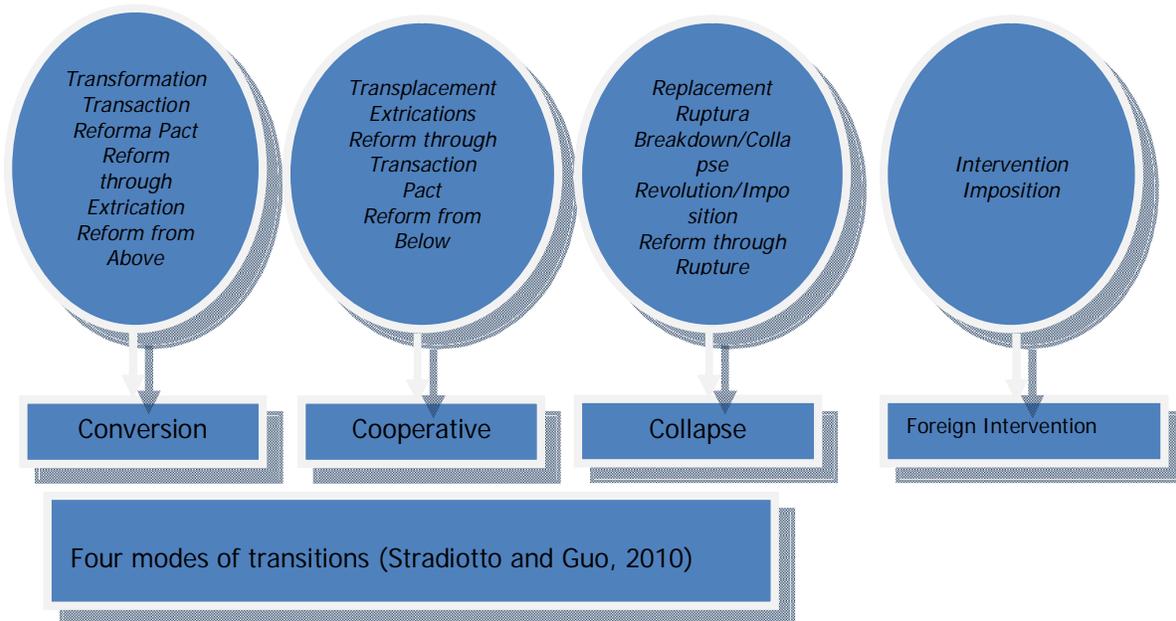
Basically, democratic transition, as Stradiotto and Guo rightly mentioned, is the interval between an authoritarian polity and a democratic one. The methods of the transfer of power are considered as the key element of democratic transition, which come through a process of democratization. To define the democratic transition they also argued that it's a "political process of movement aimed at establishing a democratic political system, initiated either from above or below or a combination of both, promoting

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² Free states are ones that score 2.5 or better on the Freedom House scale.

democratic values and goals, tolerating opposition, allowing bargaining and compromise among different political forces for the resolution of social conflicts, institutionalizing the pluralist structures and procedures by which different political forces are allowed to compete over the power, regularizing transfer of power, and engaging in the fundamental transformation of political structure". (Stradiotto and Guo, 2010).

Democratic transitions are formative and defining moments for a new democracy, and that the mode of transition helps explain the shape the new democracy will take upon emersion and whether or not it is likely to consolidate. By the account of some scholars, who posit a path dependency analysis of democratization, the mode of transition from authoritarian rule has far-reaching implications for the prospects of democratic consolidation (Stradiotto and Guo, 2010). Thus Stradiotto and Guo identified four modes of transition namely, conversion, cooperative, collapse and foreign imposed.



When the elites in power take the lead in democratization and the government is stronger than the opposition, it's called *Conversion* mode. "Regime-led reform," "regime-initiated liberalization," or "change from above" all constitute terms that describe the central feature of this mode of transition. *Cooperative*—democratization is a result of the joint action by government and opposition groups. "Pact," "negotiated transition" or "compromise" describe the central feature of this mode of transition. Change occurs within and outside the incumbent elite and reforms occur through joint cooperation between incumbents and the opposition. (3) *Collapse*—Opposition groups take the lead in bringing about democracy, and the authoritarian regime collapses or is overthrown. "Opposition-led overthrow" or

“change from below” describes the central feature of this mode of transition. (4) *Foreign Intervention*—foreign military interference is used to remove the authoritarian regime and occurs when a dominant external power topples the *ancien regimee*. (Stradiotto and Guo, 2010)

Magen analysed transition based on three approaches; structuralist or socio-economic approach that means democratization as most likely to take place where certain economic and social modernization exists. Moreover, economic development is powerfully beneficial to the survival of democracy once initial transition has taken place. The second approach to the study of transitions he mentioned is an agency-based, actor-focused approach. Unlike structuralist studies, agency-based explanations have tended to concern themselves more specifically with the precipitants and causes of transition to political democracy, rather than with longer-term societal change. The third approach is the notion of a top-down sequence of democratization, driven by elite choices (Magen, 2009).

Share used four-fold typology of transitions to democracy, derived by focusing on two dimensions; first, is the democratic transition brought about with the participation or consent of leaders of the authoritarian regime, or does it transpire without such participation or consent? The former transitions are termed consensual; the latter, nonconsensual. Second, “does the transition to democracy occur gradually, transcending a single generation of political leaders, or is it a relatively rapid phenomenon?” These two dimensions produce the following two X two matrix. (Mainwaring, 1989)

	BY regime leaders	Against Regime
Gradual	incremental democratization	transition through revolutionary struggle
Rapid	transition through transaction	transition through rupture

Figure: Democratization led by or against authoritarianism (Mainwaring, 1989)

Rustow analysed the transition in four phases namely, First, phase-background condition; the forging of a sense of national unity that means there must be a sense of national unity, Second, Preparatory Phase: the existence of entrenched conflicts, it means there must be entrenched and serious conflict, Third, Decision phase: the conscious adoption of democratic rules-, and Fourth, the habituation phase: the habituation of the electorate and leadership to democratic norms and practices, both politicians and electorate must be habituated to these rules (Rustow in Anderson, 1999)

To analyze the transition in the developing countries, Islam focused five paradigms. The first is the old-new paradigm that socio-economic modernization leads to the consolidation of democracy that we already mentioned earlier in the Magan's analysis. The second paradigm emerged from the study of Latin American and South European authoritarianism. "It sought to understand how liberalization fueled conflicts among strategic political actors and paved the way for free play of political forces and overthrow of hardliners or pacts and compromises for regime transition" (O'Donnell, Schmitter and Whitehead 1988; Tornquist 1999 in Islam,). This perspective has focused mainly upon pathways of transition from authoritarian regimes and not much upon democratic consolidation or blocked transition. Third, a variety of neo-Marxist perspectives have tried to examine the nature and dynamics of the peripheral state (Alavi 1972 in Islam,). In a powerful analysis Alavi explained the emergence of authoritarianism in Pakistan and Bangladesh in terms of his notion of "overdeveloped state" that mediated among conflicting class interests, nature of class alliance and social composition of the military. The fourth paradigm has been known as patron-clientelism. It refers to unequal exchange of resources and services among political and social agents related by moral bond as exemplified by machine politics of USA – a theme that Weber marginally touched upon. But this paradigm is more suitable for micro level analysis of specific aspects of blocked transition. The fifth paradigm is grounded in Weber and revolves around the concept of patrimonialism or neo-patrimonialism.

3. Background of Democratization in Bangladesh:

Based on the different analysis of democratization we can simply identify two types of democratic transition namely bottom-up transition – where the people rise up and overthrow an authoritarian regime in a popular or mass upsurge and the top-down transition—where the dictatorial ruling elite introduces liberalizing reforms that ultimately lead to a democratic transition (Raine, 2009) In this perspective, the democratization drives in Bangladesh could be categorized into three inter-linked processes that came through different phases. They are: democratization initiated by the elite class, liberalization by military governments, patron-client coalition or opportunistic democratization. None of these transitions could be analysed from the bottom up approach. For an ideal democratization, Welzel mentioned the democracy that comes through the human empowerment path through a modernization

process is comparatively more sustainable. “Modernization enhances the action resources of ordinary people, making them more capable to struggle for democratic freedoms in launching popular movements that sustain elite-challenging activities” (Welzel, 2009). Welzel showed a sequence of human empowerment path to democracy which is- growing action resources empowers people materially by making them more capable to struggle for freedoms, then rising emancipative beliefs empower them mentally by making them more willing to struggle for freedoms and thus democracy empowers them legally by allowing them to practice freedoms.

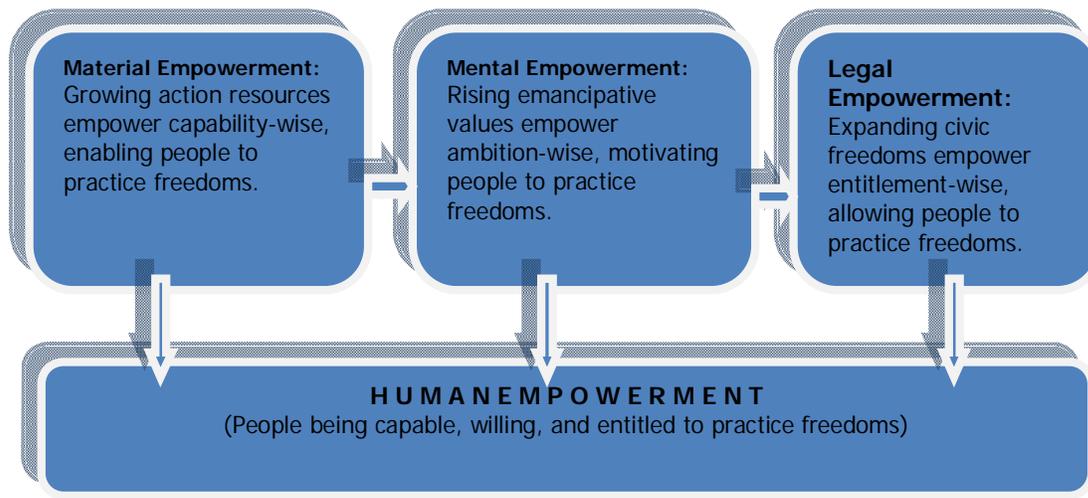


Figure: The Human Empowerment Path towards Democratization (Welzel, 2009)

The more human empowerment has advanced in its material and mental dimensions, making people capable and willing to practice democratic freedoms, the more sustainable the legal component of human empowerment—democracy becomes consolidated. Though Welzel mentioned that the human empowerment path to democracy is not the only path to democracy, but he said, it is arguably the only path producing socially embedded and hence sustainable democracy. However, if we put Bangladesh in the structure or sequence, it's prominent that the democratization has never been through such a process, rather always through a process dominated by the elite class of the society that we are going to analyse in the next section

3.1 Pre independence period: Elite Based Democracy

Basically in this subcontinent, elites were engaged in power politics and the protection of their own interests was the main objective in their political agenda. The elites themselves were segregated into different interests groups, e.g. landed elite, professional elite, Hindu and Muslim elite, trading elite, etc. Since the Aryan invasion of the Indian subcontinent to the Mughal rule (from 2000 B.C. to 1700 A. D.), there was hardly any idea like representative government developed in the political arena of the subcontinent. Empires and kingdoms were purely monarchical. The monarch ruled through the means of what Weber called the traditional authority based on divinity, religion, patrimony, coercion, or heredity (Khan, 1980).

After the British takeover, introduction of new administrative, legal system, revenue, land settlement and education system brought up far reaching changes in the configuration of political elites, their mutual interaction process and their relationship with the masses. The old aristocracy composed of Muslim landed and military elites and Hindu landed and government officials lost their power position to the British. This lost aristocracy was antagonistic to the British rule. On the other hand, a dominant class emerged who was favored by the permanent settlement and the British administrative machinery, especially who worked in the administration. Being favored by the new colonial system, these emerging elites composed of zamindars, lawyers, munsifs, office amla, suppliers, doctors, traders and bankers were loyal to the British (Islam S. S., 1992). Most importantly, the emerging middle class who were educated in the British education system was highly critical of the old order and profuse in loyalty to the colonial rule. However, they also criticized the government on policies that disadvantaged Indians and especially their class interests (Islam, S. S., 1992). Given this fact, the need for collective actions on the part of divergent elites grew. As a result, different associations representing interests of different elites evolved gradually. To name a few are the Zamindari Association to protect the interests of the landed aristocracy(1837), Bengal-British India Society worked for drawing attention of the government for more employment of Indians in the government services (1843), Hindu Mela (1867) for representing interests of Hindu middle class, Indian Association for more national interests and public movement against the colonial exploitation (1876), and many other associations were formed by mainly Hindus and finally converged on the formation of the Indian National Congress. There were similar Muslim associations like Mohamedan literary Society of Calcutta (1863), National Mohamedan association to promote the well-being of the Muslim (1877), a host of local Anjumans finally gave birth to the Muslim League (Islam, 1992). The masses also came into close contact with the government due to new administrative and revenue system but they hardly had any association to represent their interests. Therefore, the elites

since the British invasion engaged in politics to consolidate its political and economic power, which divided the elites into few groups like new landed elites, old aristocracy, English educated and professional middle class, Hindus and Muslims and in aggregate widened the gap between elites and the masses.

Constitutional reforms and enfranchisement of the people since 1921 onwards greatly contributed to the bridging of the yawning gap between the elites and the masses. As people's vote instead of government bureaucracy, became the sole means to hold political power, all political parties started establishing their peasant wings. This was for the first time that the urban based professional and landed aristocracy came across the rural lives (Islam, 1992). However, this does not mean that the elites were then transformed into more democratic. Their closeness to the masses was more political and they succeeded in maneuvering the masses on communal or nationalistic emotions. The partition of Bengal in 1905 and its aftermath is a best example of elites' maneuvering of masses' communal interests to serve their own cause. The Bengal partition gave birth to the communal conflict between the Muslims and the Hindus, otherwise lived peacefully. The diehard opposition of the partition by the Hindus infiltrated with the conviction among the Muslim that their actual enemy was the Hindu nationalism not the British colonial masters. Subsequently the Muslims formed the Muslim League. In 1927, all Hindu legislators voted against the land tenancy reform bills as it intended to harm the interests of the zaminders who were mostly Hindu and benefit the peasants who were mostly Muslims. Despite all those maneuvering, political parties succeeded in organizing a number of mass movements against the British raj since 1916 and were able to realize more political rights and more indianization of administration, which mostly favored the elites. The masses were however given the hope for better life before and after each movement. Interestingly, the Muslim League or the Congress leadership was not homogenous in terms of interests, though they were predominantly drawn from the elite class. The masses became a critical factor in the electoral politics and they were no longer loosely connected with the government. But they did not have organizational capacity to act as a strong political actor. The elites used to maneuver communal and nationalist emotions of the masses to get their support. Both the elites and the masses hardly nourish democratic values as the society was caste based and interests were conflicting.

During the colonial period, several democratic institutions, i.e. representative legislature, political parties, elections were gradually evolved and made the democracy as the immediate choice. During anti-colonial movement, political parties gathered mass support by repeatedly pledging more democratic rights for the masses and therefore they had to opt for democracy to retain mass confidence among them. English educated moderate political leaders and young political activists had ideological conviction in favor of democracy, though such conviction was not buttressed by democratic values. The political elites

themselves were divergent in terms of political interests and therefore engaged in power conflict. Democracy is the better political system in which they could share power and had the opportunity to mobilize the masses to strengthen political power. So, basically it was not the ideological conviction and democratic values that led the political elites to opt for democracy on independence, rather it was the practical politics that could accommodate competing elites and pacify the masses, which compelled them to take democracy as the form of government.

After independence in 1947, the West and the East wings of Pakistan sharply contested on a number of socio-economic and political issues, which resulted in disintegration of the Muslim League and genesis of some other Bangladesh (the then East Bengal) based regional political parties, e.g. Awami Muslim League, the Krishak Sramik Party, etc. As the Muslim League leadership was dominated by Urdu speaking and West Pakistan based landed and professional elites, they always tried to undermine the Bangladesh (the then East Pakistan) to consolidate their own political power. This was an opportunity for the East Pakistan based emerging political elites comprised of mostly educated professional class to mobilize the mass support to strengthen their own political power. Thus conflict was inevitable. Controversy over the national language surfaced the first major threat to national integration of Pakistan after independence. Along this, severe food crisis, price hike and low wages generated strong anti-government feeling. This gave rise to various movements like student movement, peasant movement, labor strikes, police strike, teachers' strike in East Pakistan (Umar, Badruddin in Sirajul Islam). The ruling regime's attempt to repress those movements also backfired and helped spread support base of the East Pakistan based political elite.

The unprecedented defeat of the ruling regime in a by-election in 1949 signaled the rapid loss of popularity of the Muslim League. Fearing losing elections, the regime postponed East Pakistan provincial elections till 1954 (Ahmed, Kamal Uddin, 1954 Elections: Issues of Autonomy). The conflict between the Muslim League and other major East Pakistan based political parties rose to a height that the latter formed a United Front against the Muslim League to contest the 1954 election. The United Front's 21-point election manifesto was focused on regional autonomy. In the elections, United Front got a stunning victory with 223 seats out of 309 seats. The Muslim League could manage only 9 seats. The result established the regional interest as the decisive factor for winning the election and hence determined ultimate fate of the Muslim League. Interestingly enough, the United Front government despite having the unprecedented landslide victory, was toppled down within a few months, which ultimately led to the rise of Military regime in 1958. The 1970 elections again proved this proposition, when the Military government representing interests of the political elites of the West Pakistan denied to hand over power

to the Awami League which got majority in the election. Constitutionally, 169 seats were allotted for the East Pakistan out of 313 seats. Awami League won 167 seats out of 169 seats in the East Pakistan and got a clear majority in the National Assembly. West Pakistan based People's Party got only 81 seats. The result implied a permanent loss of vested power of the West Pakistan political elites if power would be transferred power to Awami League (Jahan, 2005). In this elite power game, where did the masses stand? The masses in East Bengal participated and supported the language movement in 1952, the student movement of 1962, the six-point movement of 1966 and the mass uprising of 1969. This apparently means that they were very much cautious and vocal about their democratic rights. The disparity prevailed between the East and the West Pakistan. But the question is whose interests were worst affected- were they elites or the mass? The mass was mostly the peasant society with very limited access to modern education. Therefore, discrimination in government services or private investment actually affected the rich and the middle class who comprised the political elites. Though discrimination also prevailed in per capita income it was increased moderately and the masses were unlikely to be aware of such discrimination. It can therefore be argued that political elites of the East Pakistan were aggrieved of the situation and desperately looking for opportunities to create support base and establish their share in the state power. They could successfully maneuver the emotion of the masses in terms of Bengali nationalism and discrimination. This was evident from the leadership of the Awami League, the then largest political party of the East Pakistan, which represented the rising bourgeoisie and the middle class (Ahmed, 1954 Elections; Issues of Autonomy, in Sirajul Islam). The old social order of power politics still prevailed and the gap between the rich and the poor kept rising. However, democratic discourse in Pakistan gave rise of two new dimensions namely the civil-military bureaucracy emerged as new political elite and power politics turned into violent elite competition and exploitation.

3.2 Post independence period: New Elite Democracy

After getting independence in 1971, Bangladesh again opted for a parliamentary democracy. By providing leadership to the independence struggle, the Awami League (AL) emerged as the national savior and Sheikh Mujibur Rahman was credited as the Father of the Nation. His charismatic leadership was the cutting edge for the AL. There was no other political party or political figure to challenge the power of AL. This does not however mean that there was no opposition. Like Muslim League, AL was the amalgam of divergent political interests during independence struggle. After independence, political parties such as National Awami party (Bhashani) and some other small parties emerged as the opposition but they did not have enough political power to challenge the AL. Mujib after independence banned all rightist political parties who allegedly opposed the liberation war and thus avoided political challenge that he would have to face otherwise (Jahan, 2005, Ahmed, Moudud 2004). Democracy and the Challenge of Development, the UPL: Dhaka). Moreover, democracy helped the then government to get international recognition as

an independent state. This was particularly important as the USA and China opposed the liberation war (Shelley, M. R., 2007).

However, the challenge for AL government came with the 1974 famine and the breakdown of law and order situation. The oppositions, especially the Jatiya Shamajtantrik Dal (JSD) and the National Awami Party (Bhashani) took the advantage of the situation and could generate pressure on the regime. Having felt the imminent threat to its power, the AL moved to so called 'the Second Revolution' in January 1975 whereby all political parties were banned including the AL and the Bangladesh Krishak Sramik League (BAKSAL) was introduced as the single political party. All newspapers were banned except four nationalized newspapers. Fundamental rights of the citizens were suspended and the judiciary was made subservient to the executive. Thus power politics again smashed democratic values and practices. This incident could be analysed in two ways; one, the charismatic leader Mujib identified that the people were not ready to cope with the democratic values and practices, and he opted for socio economic development. This model of governance, however, proved counter-productive. Through a series of coups and counter coups and the gruesome assassination of Sheikh Mujib, the founding father of the nation, in 1975. Major General Ziaur Rahman, the then Chief of Staff of the Army, ascended to power. He had apparently two choices- either continuation of his military rule or restoration of democracy by transferring power to an elected government within shortest possible time. A civil-military bureaucracy that emerged as new political elite during Pakistan period, found 1975 as a favorable situation to entrench their political power. Interestingly enough, Zia chose for a middle course- he wanted to continue his rule and thereby realize his political ambition. Though the situation was in his favor, Zia's choice for a multi-party democracy instead of military regime deserves some analysis- whether he had strong conviction for democracy or power was the main driving force. Three factors need to be looked at to get the answer: Zia's political ambition, his political legitimacy and his relationship with the army.

Here we can analyse the situation based on Mainwaring's structure of the paths from liberalization to democratization:

I. Transition through transaction: the authoritarian regime chooses to continue opening the political system because:

A) The costs of staying in power increase and/or the costs of liberalizing decrease

1) The costs of staying in power increase because of:

- a) a succession crisis
- b) declining military cohesion
- c) declining legitimacy

2) The costs of democratizing decrease because of:

- a) elimination of perceived threat
- b) stability of socio-economic order

B) The initial idea was to intervene in a crisis situation and restore democracy after a short interlude

II. Transition through extrication: the authoritarian regime is weakened, but remains strong enough to dictate important terms of the transition

III. Transition through regime defeat: the authoritarian regime collapses

Figure: Paths from Liberalization to Democratization: A Typology of Contemporary Transitions to Democracy (Mainwaring, 1989)

Zia knew his political ambition to continue in power would be challenged by the political parties first in near future. Therefore, he needed a political base to counterbalance political opposition. Moreover, he saw the success of the Basic Democracy in providing political support to Ayub regime in Pakistan. As regards legitimacy, he had no other options but to give elections. A strong and loyal political support base could only secure his victory in such elections. Besides, international legitimacy was also important for his political career. Elections would help him get that much needed international legitimacy. And thirdly, he could no longer trust the army as his main source of power. He had to face a number of coups from within the army within a very short span of time. He strictly thwarted those coups and took many harsh measures to restore discipline in the army. The members of the armed forces were given better food,

clothes, occupational facilities and budgetary allocation. He also raised a full new Division of the army called 9th Division and entrusted it with the responsibility of ensuring security of the capital city. Nevertheless he could not depend upon the army and wanted to create a political base to counterbalance the power of the army (Ahmed, 2004). Restoration of democracy by Zia therefore was more of a political necessity. However, returning to democracy required him to consolidate his political support. He undertook several initiatives to secure his political support (Ahmed, 2004). He undertook a centrist policy through rehabilitating and patronizing political oppositions of the AL, especially leftist and the rightist political parties which were banned by the Mujib regime. This rehabilitated political force counterbalanced the AL opposition. By taking a pro-Islamic posture, he secured political support from the religious section of the society. He raised anti-Indian feeling in politics and thus unified all anti-Indian political forces against pro-Indian AL. He thus ensured a political divide in the country and nipped the possibility of unified political opposition against him in the bud. Besides, he tried to fragment existing political parties by alluring some select political leaders to his own political camp and held local government elections first in a bid to creating grass-root political support. By floating his own political party called Bangladesh Nationalist Party (BNP), Zia started doing populist politics. The aforementioned strategies do not show Zia's firm belief for democracy. His well articulated strategies earned him a strong political footing and democracy helped him in this respect.

After Zia's ruthless assassination in May 1981, the BNP became fragmented. This was inescapable as this party during formative phase accommodated politicians from both leftist and rightist ideologies. Opposition parties also started opposing the BNP aiming the president election of November 1981. This was high time for the army that killed both Mujib and Zia to allow political confrontation, if not instigate it and then capture the state power again. In March 1981, Major General H. M. Ershad, the then Chief of Staff, took over the power from the elected civilian government. Ershad faced the same problems as Zia did. He followed Zia's strategies to create his own political support base. However unlike Zia, he had to face much strong political opposition as the BNP, the greatest loser of the Ershad takeover, became a popular political party by that time alongside the AL. Therefore, Ershad tried his best to create animosity between the AL and the BNP to neutralize his political threat. Throughout his rule, he tried to marginalize the BNP and simultaneously attempted to reach a consensus with the AL (Ahmed, 2004). Like Zia, Ershad also began with local government elections and introduced a new local government tier at subdivisional level called upazila. He extended all his support to upazila to create grass root political support base. He also tried to manipulate election result by manipulating state machineries (Ahmed, 2004). The collapse of the USSR in the early 1990 culminated into the new wave of democratization in the Middle Asia and the Eastern Europe (Shelley, 2007), that also touched Bangladesh and provided with a renewed pace to anti-Ershad movement. The movement against Ershad that started in 1987, was intensified in 1990 by the

student wings of the two leading parties, actively supported by the civil society-particularly the professional associations. Besides, the international donor community signaled its displeasure with the regime (Jahan, 2002). However, Ershad resigned on December 4, 1990 and handed over the administration to the acting President Justice Shahabuddin Ahmed to oversee a free and fair election.

3.3 Transition in 1990: Towards an Opportunistic Democratization?

After the overthrow of Ershad's authoritarian regime, democratization in Bangladesh got a new shape that could be defined as an opportunistic democratization (Welzel 2009, Gros 1998). In an opportunistic democratization, politicians perceive democracy as just one more challenge to an autocratic rule, not as an opportunity to create an entirely new governance system or regime. They are more likely to agree to implement phase one of democratization that is political liberalization and then agree to adopt phase two only if phase one does not threaten their rule. Opportunistic democratizers are not necessarily incumbents, they may exist within the rank of political opposition. (Gros, 1998). Since 1991, subsequent regimes reveals that democracy in Bangladesh became bi-partisan- the AL and its allies on the one side and the BNP and its allies on the other. The political leaders of both divides placed them in the positions of opportunistic democratizers. Both alliances have a strong patron client network, based on which they came to power through elections. Therefore, any move to turn down democratic system by either party is likely to be strongly challenged because of this patron client network. After 1991, power politics provoked the ruling parties to apply various forms of election engineering to ensure victory in elections instead of doing away with the democracy itself. This very strategy of the ruling parties turned the politics mostly to an electoral politics whereby all parties design their strategies and political move to win elections. Parties started giving nominations to those who could win the elections by any means instead of committed and capable politicians. As a result the political scientists often call it as 'Elected Authoritarianism'. These opportunistic democratizers also involved military and bureaucracy in their patron client network. The army as political elite finds it beneficial to be confined within the barrack. This is because it developed significant corporate interests since 1991 by engaging itself in many profitable businesses lie banking, trading, manufacturing and service. Moreover, engagement in UN peacekeeping missions earns army officers considerable material benefits. All political governments tried to pacify the army by giving it increasing budgetary allocation.

The bureaucracy also finds incentive in democratic system. It did not feel comfortable during military regimes. During Zia and Ershad, lateral entry of junior army officers to senior and lucrative posts in the administration limited the prospects of the civil officers and thus pose threats to the interest of the bureaucracy. On the other hand, the bureaucracy has been able to establish a symbiotic relationship with

the political parties who resorted to politicization of the institution. Bureaucrats started to join political parties after their retirement. By undermining local government, political parties also restored bureaucratic supremacy at the field levels. The businessmen seem more comfortable in democracy despite frequent political instability. This is because democracy provided them with the much needed bargaining power in the state's policy making process (Stanley A., 2002. "The Growing Commercialization of Power" in Rounaq Jahan ed. Bangladesh: Promise and Performance). Businessmen also started joining political parties and thus were able to enter politics and policy making power. International community who played an important role in Bangladesh's politics seemed happy in the continuation of democratic process. After 1991, each government has shown increasing dependence on the international community for political legitimacy as well as for increasing aid flow. Bangladesh contributed significantly in multilateral initiatives after 1991 and has not shown any sign that proved harmful for the interests of the international community. As all dominant political elites have incentives in the current democratic system, it is unlikely that they would support undemocratic political system as long as they feel the associated cost is sufficiently less than the associated benefits. Islam analysed the democratic transition in Bangladesh more interestingly defining the term as "Blocked transition" (Islam, 2009, Bolci, 2003). He argued that Bangladesh is now trapped in a blocked political transition, as the neo-patrimonial system has become self perpetuating for the time being. As consequences, there could be two possibilities of political change in the country; one is towards consolidation of democracy and performance regime; and the other is ossification of the neo-patrimonial regime (Islam, 2004)

4. Transition indicators and the State of Bangladesh

Transition to democracy is often complex, having a variety of possible courses and end results. It depends on the socio economic context of an individual country and regional conditions prevailing at the time. (UNDP, 2011) Paul Bacon mentioned that democratic transition requires three components: the end of an authoritarian regime, the installation of a new democratic regime and democratic consolidation. UNDP's international forum also considered consensus and compromise as important elements of democratic transition when it took in experiences from different countries of Latin America and Asia. In the next section we will focus on some aspects of the democratic transition process in Bangladesh.

4.1 End of military intervention is the key to transition:

Generally democratic transition means the transfer of power from authoritarian regime to the democratic regime, moving from autocracy with low popular participation in political decision-making and weak constraints on the exercise of executive power, to more democratic regimes with broader political participation and greater limits on the exercise of political power (Murtin and Wacziarg, 2011). It requires

the absence of reserved domains of power for the military or other social and political forces that are not accountable to the electorate, directly or indirectly. In particular, military must be subordinate to the authority of elected civilian officials (Diamond, 1997). In case of Bangladesh, if we look back to the history, for more than fifteen years since its independence in 1971, the country has been either under direct military rule or authoritarian regime under military rulers. The nation has experienced at least four successful and at least seventeen abortive coups d'état in the post-dependence period. (Riaz,1998). However, after the withdrawal of military government in 1990, the country entered into the parliamentary democracy. But the question is whether Bangladesh could overcome the challenges of military intervention in its politics, even after the 1990s democratic transition? Literature shows that, triggering permanent confrontational politics between the two main parties has created opportunity for military to intervene in the civil administration and thus change the equation of civil-military relations. Indeed, increase in political violence as the consequence of intolerant political culture leads to intervention of the military in politics.

On 11th January, 2007, while a consensus between the AL and the BNP could not be reached to hold credible polls, President cancelled the election, imposed a state of emergency and stepped down as Chief Adviser of the caretaker government in favour of a retired bureaucrat backed by the army. At that time the Army backed regime attracted much attention in the international arena. A statement issued by the United Nations Resident Coordinator in Bangladesh expressed concern about the deteriorating political situation in Bangladesh and cautioned the army against supporting a one-sided election, as doing so might affect their future participation in lucrative UN peacekeeping operations. At the beginning of 2010 it was the second-largest contributor of military and police contingents to United Nations Peace Operations with 10,427 personnel involved in such operations. (Vaughn 2010). According to the report of the US Institute of Peace, the army and the security forces, during 2007, were deeply involved in mass arrests in Bangladesh, ostensibly in the service of the government and its state of emergency. (US Institute of Peace). According to a report of the CSIS, the move was made under pressure from the army, and the word "coup" hung unspoken in the air. The report also mentioned that although army has no representatives in any of the government ministries, it has been able to push its reform agenda behind a convenient buffer. It is noteworthy that no member of the armed forces has yet been accused or tried in the crusade against corruption, although it is believed that corruption also pervades military ranks. (CSIS, 2007)

Due to lack of trust among the political parties, both the major parties demanded the deployment of army during election period that kept room for the military to intervene in civil administration. Indeed, since 1996, they have regularly been used to maintain law and order during election periods. But the way

they fulfilled this task, cannot guarantee the full neutrality of the army's role. On the other hand without involving the military in the electoral process especially in the maintenance of law and order, it would be impossible to ensure a credible election that is accepted by the both parties. In October 2002, Prime Minister Begum Khaleda called in the army to assist the civil administration in fighting growing acts of terror. Named *Operation Clean Heart*, the nationwide operation lasted until the following January. The government's decision to rely on the army to tackle internal violence underscores a major problem facing Bangladesh. While initially the action was widely welcomed, it soon came to be perceived as another mechanism for political repression. This operation showed initial signs of success, and resulted in the confiscation of a huge cache of small arms and weapons (2,028 weapons and 29,754 rounds of ammunitions) as also the arrest of many criminals (11,280). In the end, however, it could not bring the desirable reduction in violence or unlawful acts as the operation ended under political pressure from the incumbent regime.

Besides, except for the initial four years after independence, the military in Bangladesh has continued to receive increased allocation for its spending. This has been due to the fact that between 1975 and 1991 it was the military, which, for mostly, ruled the country. To keep the army content, the post-91 civilian regimes maintained the flow of funds. Critics have pointed out that the defence establishment has become 'virtually unaccountable' and has appropriated a disproportionate share of resources for its perpetuation and enrichment. Although the Defence Ministry has been technically under the control of civilian bureaucrats, the military exerted substantial influence over its operations (Makeig, 1989:218 in Abrar 2004). Ali Riaz mentioned the corporate interests of the military led to the military's desire for greater budgetary support, for autonomy in managing their internal affairs, and for the rival institutions (Riaz, 1998). National security considerations have kept the military above scrutiny. Issues of defence planning, defence strategy and the defence budget have never been subjected to any public debate in the media or in academic circles. There has not been any worthwhile discussion on these issues in the national parliament (Abrar, 2000). "After 16 years of democratization *de façade*, during which the alternate political parties have been manipulating the army's hierarchy and distorting its prestige while re-awakening its political factions, the military actually showed the strength of its corporate interests in a way that backfired against politicians, as well as its intention to still play a role in Bangladesh's political destiny. Between the period 1972-1981, the military budget grew by around 186%. The Bangladesh Nationalist Party that was born under military rule and was in power during 1991-96 and 2001-06, had several former army officers in its leadership. Even Awami League has many retired officers in its ranks. As a natural corollary to this development, Bangladesh military's corporate interests were protected and promoted even during civilian rule. Even the seemingly more pro-people parties such as the Awami League conceded to military's direct and indirect influence on the country's politics and economy. Both

the Awami League and Bangladesh Nationalist Party have maintained the rising curve of the defence expenditures. In 1996, the defence expenditure of the country was 579 million USD. In 2006 it was 720 million USD, and has reached to almost \$1 billion in the current year. Again, like the military regimes, the democratic governments have allowed the defence expenditure to remain opaque and there is hardly any meaningful debate on the subject. Thus, both democratic and the military regimes have contributed to strengthening the army's corporate entity. (Bhattacharjee, 2010)

4.2 Constitution as an instrument of transition:

Transition to democracy requires a new social contract- the governing document being the constitution. The constitution making process therefore an important in the whole process of democratic transition. It is necessary to have a broad and free discussion on what kind of new system one wishes to have. The adoption of a new constitution is the appropriate occasion for such a discussion. South Africa, for example, in the process of its constitutional reform, included group participation, through the collection of signature on petitions that reached in some cases a million signatures. Committees worked to identify the ideas that must be contained in the constitution (UNDP, 2011). In addition, a nationwide consensus based new constitution could be the symbol of the break with the past (Turkish Democracy Foundation, 1992). Bangladesh was physically liberated on 16 December 1971. The government of Bangladesh immediately set up a Constituent Assembly composed of the members of the Pakistan National and East Pakistan Assemblies elected in 1970, to draft a Constitution for Bangladesh. The Constituent Assembly held its first session on 10 April 1972 and passed the Constitution on 4 November 1972. Bangladesh started its journey with a parliamentary form of democracy, derailed afterwards from the fundamental aspiration of democratic governance by introducing one-party. The preamble of the Constitution of Bangladesh proclaims that the high ideals of 'absolute trust and faith in the almighty Allah', 'nationalism', 'democracy' and 'socialism meaning economic and social justice' shall be the fundamental principles of the Constitution (Kabir, 2001). Through the twelfth Amendment in 1991, the parliamentary form of government was re-introduced in Bangladesh. However, it is prominent that Bangladesh Constitution changes over time in different government regimes. There have been ongoing controversies and debates on some aspects of the current Bangladesh Constitution, especially every government came to power and amended the constitution according to their will. No specific and written proposal has ever been published by those governments; so the citizens are unaware of the benefit of those Amendments which are intended. The most recent amendment regarding the 5th amendment created many controversies. The current government amended constitution aiming to reintroduce the 1972 constitutions. The 5th amendment judgment has failed to fully repair this scar. Although it has ordered restoration of secularism and re-instatement of Article 12, it has not repealed Article 2A, the existence of which would make both meaningless to a large extent. To explain: Article 12 defines secularism as a policy which, among other

things, requires elimination of “granting by the State of political status in favour of any religion”, whereas Article 2A has unambiguously granted such political status to Islam by declaring it as the state religion (Nazrul, 2011). Many of the issues in the constitutions have not yet been solved through national consensus including the national identity. Retaining Islam as state religion clearly contradicts the revival of Article 12 to restore secularism. Besides, the ethnic minority groups claims that their identity has not yet been incorporated in the constitution. In both instances; Bengali and Bangladeshi, minority communities have been marginalized and alienated. So, it would not be unreasonable to assume whether the constitution of the country still under going through a transitional process.

4.3 Election as transition process:

In the international forum on the Pathways to Democratic Transition of UNDP, members emphasized on a number of issues important for election during a transition period. These are: the need to establish clear rules and procedures for elections; establish an independent body of people as the authority supervising and managing the electoral process. They must not be party members but should be powerful and enjoy the trust of the public; the availability of good electoral records and voter lists; the obligation of loyalty to democracy by the parties (UNDP, 2011). In Bangladesh, even after the 21 years of parliamentary democracy, political parties have not been able to devise acceptable mechanisms as a means of transferring power from one regime to another. As a result, the non party caretaker system was introduced in the constitution by the 13th amendment in 1996 with the mandate to conduct national election. With the strong demand from the opposition, BNP had to introduce the system. “In the legislation incorporated by the BNP as the 13th amendment they were forced to concede the entire demand of the opposition for election under a non party, neutral caretaker government”(Sobhan, 2007). As system, the Non-Party Caretaker Government that came through the 13th Amendment to Bangladesh Constitution (Article 58) successfully managed three elections in 1996, 2001, and in the ‘delayed election’ under an emergency regime backed by the military in 2008. Ironically, Bangladesh Awami League that formed the government after its win in 2008 election abolished the system through the passage of 15th Amendment in 2011. It did not bring any positive change in the political landscape in Bangladesh, and (vast majority of 63% did not notice any positive change in politics. On the contrary, it pushed the country to political conflict and paralysis. The rampant politicization of state institutions including the Bangladesh Election Commission compelled people to believe that non party interim government is not only indispensable but inevitable with a view to holding a free and fair election. (Prothom Alo, 2013).

4.4 Political consensus for Democracy and willingness to compromise:

National consensus is the obvious for a democratic transition that leads a nation to consolidate its democracy. Tunisia, for example took concrete steps to reach a national consensus, even in the absence of elected representative institutions. About eighty parties, in addition to groups of experts, political activists and members of labour unions and professional associations worked to reach a common ground and formula for a national consensus (UNDP, 2011). Such a wide ranged consensus did not take place in Bangladesh except very few. However, the consensus in parliament between the government and the opposition, to amend the constitution and to revert it to the parliamentary system, was a historic step (Sobhan 2007). Now, the most important initiative would be for the contending parties to sit for a detailed discussion to satisfactorily address the issues of national interests. Consensus about major governance issues like administrative reforms, handling corruption, constitution, electoral system would get priority. The divide between the parties is not so great as to provide a basis for fundamental conflict. This will demand a search for consensus in our history and national symbols. Besides, two parties will have to develop a consensus on foreign policy, specially the relationship with India as an important neighboring country (Sobhan, 2007).

However, if the political parties fail to reach the consensus on the issues, democratic consolidation would be a distant dream, and politics would be out of control of political parties, and most likely to be relapsed into a different form of governance resembling 1/11 of 2007. The country might as well be trapped into a never ending cycle of conflict for power and legitimacy.

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