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# BANGLADESH IN 1991

## *A Parliamentary System*

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Craig Baxter

Bangladesh conducted the “free and fair” election in 1991 that had been promised the nation with the fall of President Ershad in December 1990. It changed its Constitution to provide for a parliamentary rather than a presidential system with a prime minister as head of government and a president as a ceremonial head of state. Almost immediately, the new government was faced with the tasks of relief and recovery from a devastating cyclone, and economic conditions showed little improvement during the year despite further steps toward privatization and encouragement of foreign investment.

### *The Election*

The resignation of President Hossain Muhammad Ershad on December 8, 1990, was followed by the assumption of power by Chief Justice Shahabuddin Ahmed as acting president. Ahmed had been appointed as vice-president by Ershad in a tidy following of constitutional process in the midst of political chaos. Ahmed was the agreed-upon candidate of the two principal opposition groups headed by the Awami League and the Bangladesh Nationalist Party (BNP). He was given two tasks. First, he was to run the country but without being overly innovative, pending the election of a new parliament. Second, he was to organize and conduct the free and fair election of the parliament as early as possible. Although there was some muttering from the BNP that the council of “advisers” (not ministers) appointed by the president to assist him was biased toward the Awami League, he carried out his assigned tasks admirably.

It was clear that the principal contestants in the election would be the Awami League and the BNP, with the Jamaat-i-Islam also an important participant. There was a question as to whether the Ershad-led Jatiya

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Party would be permitted to contest as many of its leaders were in jail (including Ershad) or in hiding. It was decided that a free and fair poll could not exclude any point of view and the Jatiya Party was allowed to contest. There were many other parties, but none of significance, and a myriad of independents.

The Awami League favored a parliamentary system in its campaign, a change that could be made only if supported by two-thirds of the members of the new parliament and confirmed by a referendum. Much of the program put forward by the party appeared to be a rehash of the old "socialist" policies of the party's leader in the independence struggle, Sheikh Mujibur Rahman (Mujib). His daughter, Sheikh Husina Wajid, is the current head of the Awami League. Mujib had been prime minister or president from January 1972 until his assassination in August 1975. It was he who ended the parliamentary system and instituted the presidential, one-party, civilian authoritarian system in early 1975. Sheikh Husina, somewhat like Benazir Bhutto in Pakistan, faced the problem of reversing Mark Antony's statement and hope that the good would be remembered and the evil interred with their fathers' bones. The Awami League, as many saw it, harped on the past, including the demand by Sheikh Husina that the murderers of her father be brought to justice as they have not been. The party was also accused of being too closely associated with India because it raised the slogan "Joy Bangla" (victory to Bengal), which was seen as being less nationalistic than the more specific "Bangladesh Zindabad" (long live Bangladesh) of the BNP.

The BNP seemed to have fresh ideas and to look to the future rather than the past. The leader, Begum Khaleda Zia, is the widow of President Ziaur Rahman (Zia), who was assassinated in May 1981, but in contrast to Sheikh Husina, she did not make much of this grim event in her past in the party's campaign. The BNP appeared as a pragmatic party with nationalist ideas, and one that gave recognition to the Islamic nature of the Bangladeshi population while staying far short of any concept of an Islamic state. The BNP favored continuation of the economic changes, including privatization, that had been instituted by the Ershad government. It also, without constant reference, proposed the programs of the late President Zia: increased agricultural production, population planning, education, and health care delivery, most of which had been adopted by Ershad as well. The BNP argued for the continuation of the presidential system, leading to allegations that Begum Zia wanted the Ershad regime without Ershad. The Awami League tried to use her connection with the military as Zia's widow against her.

The Jatiya Party program differed little from that of the BNP except for the assertion that the experienced Jatiya Party could carry it out better. It,

of course, wanted the withdrawal of the cases registered against the Jatiya leaders. The Jamaat campaigned, as might be expected, on a program that would lead Bangladesh to an Islamic polity.

The results of the poll on February 27 disproved predictions that the Awami League would win as a result of its (wrongly) assumed organizational strength. Of the 300 seats contested directly from single-member constituencies, the BNP won 140, short of a majority but well ahead of any other party. The Awami League won 88 seats, the Jatiya Party 35, and the Jamaat 18. The remainder were scattered among small parties and independents. Sheikh Husina made what is almost the ritualistic assessment in South Asia by a loser that the election was rigged. Her charge was lost in the statements by many groups of foreign observers that the elections were free and fair.

An indirect election (by Parliament) for thirty women's seats followed. The Jamaat offered its support to the BNP in return for two of these seats, and the 28 won by the BNP boosted its nominal strength (pending by-elections for seats won by multiple winners) to 168, a clear majority of the 330-seat house but still far short of the two-thirds required for constitutional change. When the dust had settled after the by-elections, the major parties stood as follows: BNP, 168; Awami League, 88; Jatiya Party, 35; Jamaat-i-Islam 20.<sup>1</sup>

Begum Zia was sworn in as prime minister on March 20 and assembled a cabinet that contained many who were experienced ministers from her late husband's regime including Mustafizur Rahman (Foreign Minister), Saifur Rahman (Finance), Badruddin Chowdhury (Education), and Mirza Golam Hafiz, who was speaker during Zia's time (Law). Others had experience in civil government, the military, business, and the law. However, with the continuing presidential system, the prime minister was nothing more than the occupant of the second seat at a cabinet meeting where the acting president was the chairperson.

*The cyclone.* The new government was barely settled in office when it had to deal with the destruction caused by a major cyclone that hit the southern coast on April 30. It was reported to have been stronger than the one that struck in 1970 but the casualties were lighter, probably for two reasons: many shelters had been erected in the coastal areas, and an early-warning system was in place. Nonetheless, many people chose to remain with their properties, not heeding the warnings, and they perished. The finance minister estimated property damage at \$2.5 billion when he reported to the Paris meeting of the Bangladesh consortium.

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1. For analysis see Craig Baxter and Syedur Rahman, "Bangladesh Votes—1991: Building Democratic Institutions," *Asian Survey*, 31:8 (August, 1991).

International relief efforts were mounted quickly from neighboring India and Pakistan and from many countries farther from the scene. The most dramatic assistance came from U.S. Marines and other forces who were returning to home bases from Operation Desert Storm and were diverted to Bangladesh. Not unexpectedly, some on the left, including some in the Awami League, saw this as an imperialistic plot, but the bulk of the people expressed great appreciation for the efforts undertaken, especially in areas where only the specialized equipment used by the Marines could be effective. When I visited Bangladesh in July, this appreciation was being repeated, along with a general feeling that the new government worked as well as could be expected in the face of the calamity.

### *Parliamentary System*

As noted above, in the election campaign the BNP was committed to the retention of the presidential form of government, while the Awami League plumped for a restoration of the parliamentary system of 1972–75. After the election, however, the BNP began to waver, although Begum Zia seems to have been among the last to change her mind. Two reasons appear to have been key in the party's policy change to support a parliamentary form. The first resulted from a close study of the popular vote in the election. Although holding a substantial lead in seats won, the BNP polled only 31% of the popular vote, while the Awami League got 28%.<sup>2</sup> It was by no means certain, therefore, that the BNP could win a presidential vote, especially if all or some of the opposition parties agreed on a common candidate, as was likely. Second, the BNP was in power in Parliament and was clearly enjoying its majority status, and ministers and members could see that retaining such status would be advantageous. A parliamentary system would mean power in the house and not in the hands of a president whose role would become ceremonial if the change were made.

Both the BNP and the Awami League put forward constitutional amendment bills. There were some significant differences, and the prime minister called for a select committee to be formed to iron them out. One difference was that the BNP wished to permit a small proportion of the cabinet to be drawn from outside Parliament; this was accepted and the finance minister remained in his post. The act of forming the committee was an important step. Perhaps for the first time in Bangladesh's history, a multiparty committee was formed to reach a compromise. In the past, the very large majorities present in Parliament simply rammed a bill down the throats of the opposition. Now, compromise was needed to fulfill the two-thirds majority requirement to pass a constitutional amendment.

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2. *India Abroad*, March 8, 1991.

Compromise was reached, the bill was passed in August, and in September the people approved it by a large majority.

Another amendment made it possible for Shahabuddin to relinquish his role as acting president and return to his former post as chief justice. Abdur Rahman Biswas, who had been speaker, was elected president by the Parliament on October 8, though not without controversy. Perhaps unsure that all BNP members would follow the party whip, the BNP issued an ordinance that called for open rather than secret balloting for the presidential poll. Following the election, Begum Zia was sworn in again as prime minister, but this time she also became the head of government.

With the major issues of elections and the form of government settled and rehabilitation from the cyclone underway, the BNP cabinet could begin functioning as the government of the country. There remains a major law and order problem in the universities. The cooperation of student groups in the overthrow of the Ershad regime was short-lived and did not extend beyond that period. Violent clashes have characterized Dhaka University and other institutions. These have resulted in many deaths, the closing of the institutions, and the postponing of student body elections. The loss of time in completing education cannot but affect the long term development of the country; as this was written, no solution to the problem was in sight and the violence continues.

In November, the government took a step that has been widely criticized when it abolished the *upazila* (sub-district) councils. These had been installed by Ershad as a means of devolving decision-making to the lowest level above the village itself. In elections in 1990, the Jatiya Party, then in office, had finished first in the number of *upazila* it controlled, with the Awami League second and the BNP trailing far behind. One of the marks of a successful democracy is the ability of the ruling party to work with lower-level governments of a different party, but this degree of development has not yet reached Bangladesh.

*The economy.* The new government is attempting to meet the requirements placed on it by the International Monetary Fund. One step in this direction was the introduction of a value-added tax, which met with opposition but, as modified somewhat, has remained in effect and should be more readily collectable than some other taxes. The economy remains very much in deficit, both internally and externally. Budget estimates of receipts fall far short of expenditure requirements and foreign assistance remains essential. The foreign debt burden was reduced to some extent when the United States forgave about \$260 million in debts that had long been on the books. Most current bilateral assistance from all donors is in the form of grants.

Efforts to increase foreign investment have generally been unsuccessful. The privatization program is continuing, but the climate for investment is hindered by continuing law and order problems, the absence so far of firm legitimacy for the new government, and the shortage of human, natural, and financial resources within Bangladesh.

### *Foreign Relations*

The attention devoted to internal matters made the year relatively quiet on the international front. Begum Zia did attend the Commonwealth Heads of Government Meeting in Harare, Zimbabwe, and there held a number of bilateral meetings, including with leaders of the countries in the immediate neighborhood. Foreign Minister Mustafizur Rahman visited the Soviet Union in July, the first visit by a Bangladeshi of his rank since the days of Mujib. He had hoped to extend trade relations but his arrival coincided with the beginning of the collapse of the USSR, and any hopes for expanded trade will have to be postponed until the dust settles. He also visited the United States in September and held consultations in Washington.

Bangladesh, as the father of the South Asian Association for Regional Cooperation (SAARC), was disappointed at the collapse of the November summit in Colombo, although Begum Zia did meet with the heads of government of Sri Lanka, Pakistan, and the Maldives who did attend. Bangladesh will not be satisfied with the truncated one-day summit scheduled for December, and places the blame for the failed summit on India.

Bangladesh had contributed forces to Operation Desert Shield, although they did not engage in the military action that followed. The country, along with many others, was hard hit in the Gulf crisis by the loss of remittances (at an annual rate of about \$500 million), but now sees many of its nationals returning to work in places other than Iraq.

Changing a constitution in a democratic process does not automatically assure the permanence of a democratic system. Bangladesh requires the political development of a number of structures, not the least of which is strong party organizations. For example, party elections have not been held, and such elections, even though they usually confirm the leadership in office, give a sense of participation to the people and can be effective in building cadres at the local level. The new government and the ruling and opposition parties will have to work hard to ensure the success of the new system. To paraphrase Benjamin Franklin, the people of Bangladesh have "a parliamentary system if they can keep it."