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**POLITICAL DEVELOPMENT IN BANGLADESH DURING MILITARY BACKED
CARETAKER GOVERNMENT (2007-2009): AN OBSERVATION ON THE
BASIS OF THEORETICAL ASPECT**

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Abstract: The hub of this study is on the nature and troubles of political development in Bangladesh that have been used to limit from 2007 to 2009 during controversial Caretaker Government led by Fakruddin Ahmed backed by then army chief General Moeen U Ahmed. The main objective of the paper is to examine the problems of political development in Bangladesh in light of the theory of caretaker government and political development especially from 2007 to 2009. The theoretical framework of caretaker government and political development have been discussed in this study. However, the major emphasis is on understanding the problems of Fakhruddin Ahmed caretaker government in Bangladesh concretely in light of the democratic theory. Finally, we have suggested some recommendations for future development of the system.

Introduction

Now a day's the main purpose of any government is to execute political development. But, it does not substantiate abruptly, it has to be gradually built & achieved. If we analyze the political history of Bangladesh, we find that the people of Bangladesh participated in movements & uprisings several times for political development through a expectation for true democratic system since creating Pakistan. In 1970 election, people assured mandate in favour of parliamentary government system. But the Pakistani rulers could not pay heed to that mandate and that was the ultimate reason for the liberation war of Bangladesh. After independence, with the introduction of western parliamentary government system, liberal democratic system set off in Bangladesh. But within a few days Bangladesh faced one party governing

system by then Awami League government on 25 January, 1975. With the assassination of the father of the nation Bangabandhu Shiekh Mujibur Rahman along with his whole family members through a military coup on 15 August, 1975, the steering wheel of Bangladesh belonged to the hands of the army. Later, two army Major General Ziaur Rahman (1975-1980) and Lt. General Hossain Mohammad Ershad (1982-1990) exercised the supreme power over the state and created a vicious circle with despotic rule across the country, even they amended the constitution to legitimize their regimes. On 6 December, 1990 through a mass uprising the dictatorship of Ershad ended and the country turned into parliamentary government system again through 12th amendment of the constitution in 1991 which accelerated the path of political development in Bangladesh.¹ Though the elected government after 1990 completed their regimes and handed over their power in a regular interval (1991-1995, 1996-2001, 2001-2006, 2009-present), there is still a great doubt about the consecutiveness of political development in Bangladesh due to the vulnerable condition of prerequisites of political development, even the last military backed Caretaker Government (2007-2009) ignored and jeopardized the issue of political development. The last one of Caretaker Government had a lot of controversial roles which created a debate on Caretaker Government system. In this paper, there is a trend to find out what initiatives were taken and what were the impediments toward political development during the last Caretaker Government (2007-2009). This article follows two research methods 1. Observational Approach and 2. Historical Approach.

The Concept of Caretaker Government

The concept of Caretaker Government or interim government in democracy practicing countries is not a new phenomenon. This system was first sighted in the birthplace of democracy, England. The Caretaker Government was set up led by Winston Churchill in on 23 May, 1945.² Henri Polling states that "Churchill's new Caretaker Government consisted of Conservatives, National Ministers who were prepared to continue in service"³ The biggest democratic country, India also needed to form Caretaker Government under President Sanjeeb Reddi & Prime Minister Charan Singh in the month of August of 1979.⁴ In 1979 on 23 August on an Indian newspaper 'The statesman' then Indian President Sanjeeb Reddi addressed as like " The (Charan Singh's) government will not take decision during this period which set new policy or involve new spending of significant order or constitute major administration and executive decision. However, work of an urgent nature involving the nations interests will not be held up".⁵ Madras High Court gave a definition of Caretaker Government while delivering the verdict of the writ regarding Chowdhury Charan Singh's government on 10 October in 1979 as "Though the constitution itself does not refer to a 'Caretaker Government' is yet it is possible to understand the expression, 'Caretaker Government' as the

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government in power after dissolution of the 'Lok Sabha' and before its reconstitution.⁶ In 1993, one of major democratic country of this sub-continent, Pakistan also exercised this system led by Moeen Qureshi.⁷ Actually, these types of Caretaker Governments were a combination of proportional representation of all political parties of these respective countries on a mutual agreement.

In the context of Bangladesh, the concept got a new shape. Caretaker Government in Bangladesh is an unique one in the world.

Caretaker Government in Bangladesh

The concept of Caretaker Government in Bangladesh is truly an unique invention. It was consisted of persons of impartial characters. The members of the government would not draw from political parties. They do not belong to any political party; nor are they allowed to contest the election.

The Caretaker Government of Bangladesh is a form in which the country is ruled during an interim period between the removal of an old government and the takeover of a newly elected government. As the outgoing government hands over their power, the Caretaker Government comes into place. The main objective of this government is to create an environment in which an election can be held in a free and fair manner without any political influence of the outgoing government.

A Caretaker Government was first introduced in 1990 when three party alliances jointly made a demand for it. After the forced resignation of Lt. General Ershad, the alliances nominated chief justice Shahabuddin Ahmed as the chief advisor. The first Caretaker Government (interim government) was intended to help the transition from authoritarianism to democracy. But the first one was not constitutionally established.

The Magura By-election in 1994 convinced the opposition parties that they did not stand the ghost of a chance to win if the ruling party remained in office. The one –party election held on 15 February, 1996 further convinced the common people that unless the government resigns a free and fair election could no be held.⁸ Yielding to boycotting opposition pressure, then government dominated by Bangladesh Nationalist Party constitutionalized the Caretaker Government system through incorporating a law in the article-58 (B-E) of Bangladesh constitution in 1996 by the 13th amendment of the constitution.

The nature of Caretaker Government of Bangladesh according to the article-58 (B-C) of Bangladesh Constitution (before abolishment under 15th amendment):

58B. (1) There shall be non-party Caretaker Government during the period from the date on which the Chief Advisor of such government enters upon office after Parliament is dissolved or stands dissolved by reason of expiration of its term till the date on which a new Prime Minister enters upon his office after the constitution of Parliament. (2) The Non- Party Caretaker Government shall be collectively responsible to the President. 58C. (1) The Non-Party Caretaker Government shall consist of the Chief Advisor at his head and not more than ten other Advisors, all of whom shall be appointed by the President. (2) The Chief Advisor and other Advisors shall be appointed within fifteen days after Parliament is dissolved or stands dissolved, and during the period between the date on which parliament is dissolved or stands dissolved and the date on which the Chief Advisor is appointed, the Prime Minister and his cabinet who were in office immediately before Parliament was dissolved or stood dissolved shall continue to hold office as such. (3) The President shall appoint as Chief Adviser the person who among the retired Chief Justice of Bangladesh retired last and who is qualified to be appointed as an Adviser under the articles.⁹

This system was constitutionally and unconstitutionally activated five times in Bangladesh.

Chief Adviser	Duration
1. Justice Sahabuddin	06.12.1990-09.10.1991
2. Justice Habibur Rahman	30.03.1996-23.06.1996
3. Justice Latifur Rahman	15.07.2001-10.10.2001
4. Iazuddin Ahmed	29.10.2006-11.01.2007
5. Fakruddin Ahmed	11.01.2007-06.01.2009

Military Backed Caretaker Government in Bangladesh

In Bangladesh there was a Caretaker Government for the period of 1990-91 with understanding of political parties. Later, there were also Caretaker Governments formed within constitutional framework in 1996, 2001 and 2006 followed by 13th amendment to the constitution.

An extra-constitutional military backed Caretaker Government was installed in January 11, 2007 which governed nearly two years Bangladesh without legitimacy or constitutional basis. According to the provision (before abolishment) of Caretaker Government, There were five options to appoint Chief Adviser. Last option is the President himself. Experiencing a fatal political turmoil of Bangladesh then President Iazuddin Ahmed made himself Chief Adviser. After failing to form a effective Caretaker Government, the President had to run presidency at the gun point. Then Army Chief Major General Moeen Uddin Ahmed upgraded army chief's rank to General and to maintain balance also other two forces chiefs accordingly. Moeen also made his one year extension without lawful authority in absence of regular elected government. President Iazuddin tried utmost, to solve political problem and

thereby brought rival political parties to the planned parliamentary election of 22 January, 2007. By canceling that election, General Moeen staged a military coup on 11 January, 2007 (commonly known as 1/11 situation) and forced the President to call the state of emergency. With this occupation, a new Caretaker Government was formed headed by Chief Adviser Fakruddin Ahmed backed by then army Chief General Moeen Uddin Ahmed under emergency law. Army Chief used to attend the advisory council meetings and pressured cabinet to take decisions as he wanted. The tenure of this military backed Caretaker Government was from 11.01.2007 to 06.01.2009 and disappeared from the stage handing over power to the present elected government through a election yielding to a huge resentments among people and international pressure.¹⁰

Political Development: Theoretical Aspect

After the second World War, the advent of the developing countries of Asia, Africa, and Latin America opened a new chapter in the arena of political analysis. The prominent scholars like J.S. Coleman, Howard Riggs, Leonard Binder, Herbert Feith, Lucian W. Pye, David Apter started to justify the political development of these countries with a model of western political development. In this regard, their first attempt was to define what is political development on which it was compared with how much political development happened in these developing countries. Here are some attempts where scholars tried to define what is political development.

Keneth Organski¹¹ described four phases of political development in his book "The Stages of Political Development". These are as follows: Centralization of powers under the state authority for political unification; Industrialization for economic development; Bringing National Welfare where people can enjoy political and economic solvency; Development of the material life of the people. Lucian W. Pye¹² offers three indicators or syndromes of political development. These are:

1. Equality which implies the subject of political development suggests mass participation and popular involvement in political activities. It also means that laws should be of a universalistic nature, applicable to all.
2. Capacity which refers to the capacity of a political system by which it can affect the rest of the society and economy.
3. Differentiation which implies diffusion and specialization of structures. The offices and agencies tend to have their distinct and limited functions and there is an equivalent of labour within the realm of government.

Almond and Powell opine "Political development is increased secularization of political culture. The significance of such development is in general to increase the effectiveness and efficiency of performance of the political system to increase its capacities."¹³ They also said "Political development

has been defined as the increased differentiation and specialization of political structures and the increased secularization of political culture."¹⁴

Howard Riggs opines "The term 'development' in the political context be confined to connote an increasing ability to make and carry out but collective decision affecting the environment (not the context)."¹⁵

According to The Committee on Comparative Politics of International Social Science Research Council, "Political development process is a continuous interaction among the process of structural differentiation, the imperatives of equality and the integrative, responsive and adaptive capacity of a political system."¹⁶

David Apter opines in his book "Rethinking Development" as "Political development denotes regimes, state systems and political systems whose institutional functions involving along with development equity will require quarter participation and elite accountability."¹⁷

Lucian W. Pye¹⁸ presents the case of political development in a quite elaborate form in his book "Aspects of Political development". These are as follows: 1. Political development as the political prerequisite of economic development, 2. Political development as the politics typical of industrial societies, 3. Political development as political modernization, 4. Political development as the operations of nation-states, 5. Political development as administrative and legal development, 6. Political development as modernization and participation, 7. Political development as the building of democracy, 8. Political development as stability or orderly change, 9. Political development as mobilization and power, 10. Political development as one aspect of a multi-dimensional process of social change, 11. Political development as a sense of national respect in international affairs.

After analyzing these definitions it appears some characteristics of political development. These are: 1. Creating a society of participant citizens, 2. Increasing the effectiveness of political institutions, 3. The effectiveness of the government institutions that can ensure accountability and transparency, 4. Role of civil society.

Objectives of the Study

The main objective of the paper is to explore the political development and the democratic conditions during the periods of military backed caretaker government (2007-2009). The following objectives are to specially explore:

1. to examine the creating a Society of Participant Citizens
2. to examine the effectiveness of Political Institutions
3. to examine the responsibility and accountability of government
4. to evaluate the role of Civil Society in military backed caretaker government

Political Development in Bangladesh (2007-2009): Theoretical Observation

This paper attempts to review the real scenario of the issue of political development based on above mentioned characteristics of political development during military backed Caretaker Government tenure (2007-2009) in Bangladesh.

Creating a Society of Participant Citizens

In democratic government system, people express their logical and strong opinions through election which is the main prerequisite of political development. "Election is regarded as the panacea capable of healing all the sufferings".¹⁹ Only election can materialize the people's ruling power into practice. Election facilitate the ordinary people to choose their preferable policies and policy makers. MacIver rightly said, "Voting is the only device by which the process of forming government is determined".²⁰ Election is the process of selecting the officers or representatives of an organization or group by the vote of its qualified members".²¹ Election postulates the real representative government. J.S. Mill opines that modern democracy is the representative democracy. He also added, "what touches all, should be decided by all". But the last Three Uddin (Iazuddin, Fakruddin and Moeen Uddin) Caretaker Government ignored this vital precondition of political development. Moeen Uddin and Fakruddin announced on April 5, 2007 that national and local election would be postponed for at least 18 months until the end of 2008. The decision which obviously breaches the country's constitution (article- 58(B-E) (before abolishment), puts an unelected regime and its military backers in charges for indefinite period.²² Election is the sign of popular political participation which is also a influential ingredient of political development. The Three Uddin Caretaker Government did not pay heed to popular participation. They banned all types of political activities under the state of emergency. They kept the people detached from participating in decision making and determining their ruling power. The arrest of thousands of politicians under that regime led to extreme dictatorship. By July, 2007, about 200,00 people had been arrested.²³ In April, 2008 this authority attempted to reform political parties by exiling Hasina & Khaleda, the former two Prime Ministers. But they backed down amid domestic and international protestations. Hasina, the daughter of the Father of the nation faced serious charges and was taken to custody. Khaleda Zia was also taken to the custody facing charges of tax evasion. Actually, the main intension of the authority to detached the two former and popular Prime Ministers from politics. They activated their regime on 11 January, 2007 (commonly known as 1/11) under emergency law. In fact, they were opportunistic to seize power and to curve the politics of Bangladesh. They completely availed of the state of emergency. In that time, they made budget for two times for fiscal years, enacted ordinances, initiated

reforms in administration which were drastically incompatible with the constitution of Bangladesh. Their only duty was to hold election in due time but they exercised extra-constitutional authority and deceived with the nation.²⁴ So, there was no a little bit attempt to create a participatory citizens in that military backed Caretaker Government which was the main impediment to the path of political development in Bangladesh.

Increasing the Effectiveness of Political Institutions

The effectiveness of political institution is a bare need for establishing political development in a democratic country. Among political institutions, political party is the most expected one to flourish, nourish and cherish democracy in a country. MacIver said, "Without party system the state has no elasticity, no true self determination".²⁵ Allan Ball opines that "It is very difficult to imagine modern political system without political parties". Lord Bryce opines, "Parties are inevitable. No free country has been without them". Laski stated that parties are the best defense against the growth of despotism in a country. A political party is a political organization consists of a body of men united for promoting by their joint endeavors the national interest upon some political principle in which they are agreed. Getell opines in such a way as " A political party consists of a group of citizens more or less organized who act as political unit and who by the use of their voting power aim to control the government and carry out their general policies".²⁶ In the words of Leacock, "By a political party we mean more or less organized group of citizens who act together as a political unit. They share or profess to share the same opinions on public questions and by exercising their voting power towards a common end, seek to obtain control of the government".²⁷ Political parties are bare need because they keep the nation alive politically. They create the interest of the people toward political system and attract them towards important problems. But the military backed Caretaker Government was not conducive to create a environment where political parties could exercise their performance. The then authority created a vicious circle for political parties and politicians by introducing the situation of 1/11 of 2007. This was a brutal attack on the politics of Bangladesh. They illegally attempted to fragment political parties in Bangladesh by taking and applying the theory of Minus-Two formula. They banned political activities and arrested a lot of high profile politicians. There was an attempt to keep away two former Prime Ministers of Bangladesh, who were leading the two major parties in Bangladesh, from politics and both were taken to the custody and were made a brutal chapter of political harassment.

Rule of law is another one to rear up the effectiveness of political institution. Rule of law means the government based on law not on man. Government is the subject of law.²⁸ It means the absence of arbitrary power, government power should be exercised according to the rules of the law and must be

used judiciously. A.V. Dicey, the chief exponent of the concept of the rule of law, emphasized on the three elements in his book 'Introduction to the Law of the Constitution' as they are: 1. Absence of arbitrary power 2. Equity before law 3. Citizen's right.²⁹ Bangladesh constitution has a clear declaration regarding ensuring the rule of law as in the preamble of the constitution, in the article-7, 22, 25 to 45, 102(2) of Bangladesh constitution. Nevertheless the article-7, 26, and 102(2) of the constitution gave the power of judicial review to the supreme court. So that if there is any attempts or activities which are incompatible with the constitution, the court can review it and nullify it.

In the regime of military backed Caretaker Government, every initiatives, steps, activities were completely violation of the constitution of Bangladesh. Bangladeshi people were accustomed to see that Caretaker Government for only 90 days but the first time they have faced experience for years. The Supreme Court observed in its verdict of the constitution's 13th amendment case, "The nearly two years rule of past Caretaker Government led by Fakruddin Ahmed was absolutely unconstitutional."³⁰ General Moeen staged a military coup and took the state power into his hands and ruled the country according to his will. Every directions and recommendation of the governmental procedures came from cantonments and military barracks. This type of governing system can not be tolerated in a democratic country. It was a regime of anarchy. Army personnel took charges of many civil posts which has no legal basis. Among other things, the authority also tried to make the constitutional bodies independent and competent, but they have no legal right to do it. Throughout their tenure they have made more than 100 ordinances but very few of them are ratified by the present elected government through the parliament. Legitimacy is the prime concern for a democratic government. Tocqueville said, "Loss of legitimacy is fatal for nation".³¹ Legitimacy is the term we use to refer to the fact that a government is generally recognized to have the right to do what it does. Jean Blondel opines as like, "Legitimacy can be defined as the extent to which people accepts naturally, without questioning, the organization to which it belongs".³² The last one Caretaker Government had no legitimacy. The authority did not seek any verdict from the Supreme Court on their controversial roles. They captured the power at the gun point. The Three Uddin Government ignored public opinions immensely and exposed a despotic character that was a major threats to the path of political development in Bangladesh.

The Effectiveness of the Government Institutions that can Ensure Accountability and Transparency

In a democracy, the principle of accountability holds that government officials whether elected or appointed by those who have been elected are responsible to the citizenry for their decisions and actions. Transparency

requires that the decisions and actions of those in government are open to public scrutiny and that the public has a right to access such information. Both concepts are central to the idea of democratic governance. Without accountability and transparency democracy is impossible. In their absence, elections and the notion of the will of the people have no meaning and worthy. Elections are the primary means for citizens to hold their country's officials accountable for their actions in office, especially when they have behaved illegally, corruptly, or ineptly while carrying out the work of the government. But for elections and people's will to be meaningful, basic rights must be protected and affirmed. The very basis for government's responsibility was the assurance that citizens would have sufficient knowledge to direct it. If citizen are to govern their own affairs, either directly or through representative government, they must be informed about how best to determine their affairs and how best to represent and execute them.

During Military backed Caretaker Government, there was no parliament. So, the government bodies were not responsible and accountable to the parliament or the President for their actions though there was a law to be responsible to the President. Ironically General Moeen and Fakruddin Ahmed violated the very indications of the constitution. Then made more than 100 ordinances and forced the President to signature at the gun point but not by a legal legislature or assembly.³³ This government also made budget for the country's fiscal years two times but the authority had no right to do it. A free press is the essential guarantor of the public access to information, the press must therefore, have broad protection against infringements of its rights, and must be able to search out information when the public interest is concerned. Voice of people is supreme law. Voice of people is the worthy basis of the government.³⁴ The press is the main instrument through which the logical and expected opinions of the people are expressed and reacted. During Moeen-Fakruddin Government, freedom of thought, press and conscience deteriorated significantly. Attack by security forces on journalists, the press, the newspaper and television was a regular scene. Despite stated commitments to democratic reforms and media freedom, the authority dealt a series of crippling blows to what had been one of the freest presses in Asia. Operating under an official state of emergency and faced with a series of written orders and verbal directives governing media coverage, a famously voluble press corps grew increasingly muted. On orders from the official Press Information Department (PID), private television stations immediately suspended independent news programming and instead carried broadcasts provided by state-run Bangladesh television. Officials warned senior journalists and editors to exercises caution in their reporting and not to publish any news critical of the government. Journalists received verbal instructions from the PID that they should consult Inter-Service Public Relation, the office that serves the Ministry of Defense, the

army, and other security branches before publishing any news about the armed forces.

Emergency power rules of 2007, the regulations which remained in effect were largely aimed at curbing political and trade union activities, but they allowed the government to censor news deemed, provocative seize publications and confiscate printing presses and broadcast equipment. The influential journalists, Atiqullah Khan Masud, editor and publisher of Daily Janakantha, and Tasneem Khalil, a renowned journalist were taken to custody. According to Human Rights Watch (HRW), Khalil was tortured and questioned about his work as journalist and his research for a 2006 HRW report on torture and extra-judicial killings by members of the security forces. The organization reported that Khalil was forced to make false confessions. Journalists working outside the capital, even more vulnerable to threats and harassments by members of the local administration and security forces. Daily Star reporter E.A.M Assaduzzaman Tipu was arrested on March 21, 2007 in Nilphamary after reporting on the local government's handlings of fertilizer distribution in the area.³⁵ He was detained for nearly a week on false accusation of extortion. Jahangir Alam Akas, a reporter of Rajshahi city for the television news channel CSB, told that he received death threats from a major with the Rapid Action Battalion (RAB) and later he was arrested and beaten under custody.

The national media faced a major crisis in August, 2007, when the government and security forces attempted to restrict news coverage of growing student unrest, security forces assaulted and detained dozens of journalists reporting on the enforcement of a curfew and clashes between the police and students calling for an end to emergency rule. In a pointed appeal to broadcasters, then Information Advisor Moinul Hossain said, "We request channels to stop televising footage of violence until further notice because this might instigate further violence".³⁶ On August 23, 2007 two television channels CSB and Ekushey Television received a written notice from the PID warning them not to broadcast "provocative" news. Within weeks of that warning, on September 6, 2007 authorities took CSB off the air on. CSB, the country's first private 24-hours news channel, announced its closure in October, 2007. On 17 September, 2007 Moinul Hossain summoned TV executives to his office and handed them 'informal guidelines' to govern talk shows. The written guidelines, which were not printed on official letterhead and carried no signature, included detailed rules specifying that "talk shows must be edited and could not be aired live, that phone-ins and interactive discussions were banned and that 'statements' that can create resentments towards the legitimate government of Bangladesh should also be avoided."³⁷ Such activities proved that the then military backed Caretaker Government was not in a position to ensure the freedom of press and speech in

Bangladesh and these were the serial attacks on the way of democratization and thus derailed the path of political development.

Role of Civil Society

Bangladesh is a sovereign and independent state in the world map, gained its independence through a 9 month long bloody war from Pakistan in 1971. The main aim of the liberation war of Bangladesh was to establish a civil society, because civil society is the real architecture of rearing up, imaging and sketching dreams for democracy and cherishing, nourishing & flourishing the concept of political development in a country. Civil society is the arena outside of the family, the state and the market where people associate to advance common interests. Sometimes the term is used in the more general sense of "the elements such as freedom of speech, an independent judiciary, etc. that make up a democratic society."³⁸ Civil society are vital for democracy because they build social capital, trust and shared values which are transferred into the political sphere and help to hold society together, facilitating an understanding of the interconnectedness of society and interests within it. Generally civil society means a group of person or a ordinary society or organization which contribute positive roles in changing the society as a progressive one and establishing a democratic society that includes the scholars, intellectuals, university faculty members, philosopher, poet, writer, charismatic personality, development agencies, NGOs and voluntary welfare organizations. They always raise voice and advocate for democracy, liberty, equality, fundamental rights, safety for life for the common interests of the people.³⁹

During the military backed Caretaker Government there were also many initiatives by civil society to transform the country into a regular democratic form through demanding the termination of the arbitrary rule of the then Caretaker Government and holding election in due time. But the authority was not ready to accept it easily. They answered it with bullets, fire and threat. There was a clash between the students and security forces demanding for abolishing emergency rule throughout all campuses of colleges and universities of Bangladesh which broke out in August, 2007 when army personnel stationed in an army camp on Dhaka University ground beat up university students who were watching a football match. Dubbed a 'trivial incident' by then Army Chief General Moeen, Students protests mushroomed, enveloping Rajshahi University and other public university & college campuses as well. Protests spilled out on to the streets of Dhaka and other major cities, expressing growing people's discontentment and resentment at the military installed Caretaker Government's rule. The so-called "trivial incidents" proved to be a resounding nail in the Caretaker Government's coffin. The government crackdown was vicious. Student's halls were raided, universities were closed down, students were asked to

vacate dormitories, curfew was declared, young men were approached on roads and streets by police and joint forces personnel, those who identified as students were beaten up, taken away, tortured, thrown into prison for having instigated the protests. As were university faculty, four belonging to Dhaka University, ten from Rajshahi University, many of them senior academics, some were remanded, some allege having been tortured mentally, physically or both. A staggering eighty-two thousands unnamed persons were charged in nearly fifty cases by the police.⁴⁰ Teacher and students were released from jail 4-5 month later as a gesture of clemency but only after they had been tried in fabricated cases and had been convicted ; all cases against all arrested teachers and students were finally dropped after the present government came into power. In two year's tenure of last Caretaker Government, there were no any sign for tolerating scholastic or judicious appeals for demanding democratic government, though they were always convincing the nation that they were in a path of refreshing the turmoil of politics in Bangladesh and working for a free and fair election. So, the way of political development during military backed Caretaker Government was full of clumsy and panic among the people.

Evaluation and Recommendations

There is no doubt that the concept of Caretaker Government system emerged as a unique system of government in Bangladesh to conduct the national election neutrally. It shouldered this solemn national responsibility very successfully three times. Bangladeshi people were accustomed to see that Caretaker Government for only 90 days but the first time they have faced experience for two years. It had been running the nation two years with the support of Bangladesh army. The controversial roles of this Caretaker Government tenure created a debate on Caretaker Government system. The last one proved that the Caretaker Government system is not compatible with the democratic policy and its actions, policies, initiatives and steps were not in favour of ensuring political development in Bangladesh. The indispensable preconditions of political development such as political participation, the effectiveness of political institutions, accountable & transparent government system and nursing a civil society were not sighted in any stages or periods during the military backed Caretaker Government. There was no favorable environment for establishing or flourishing or institutionalizing these above mentioned characteristics of political development during then government. Attack on political parties, arrest of politicians, Minus-two formula, delaying for holding election, ignoring the freedom of press & speech, undemocratic nature, arbitrary will of authority, corporate interest of military, unconstitutional process and ignoring civil society were the real scenario of then Three Uddin Caretaker Government. Initial reactions of the public were welcoming. The arrest of many corrupted politicians led many to believe that a new political age will come into

existence. But in reality, the military backed unconstitutional and illegitimate Caretaker Government finally failed to transform the country into real democratic country. At last, yielding to international pressures and huge resentments among the people, the authority was compelled to hold a election. But they have played a vital role to install a good voter lists which modernized our election system. In 2008 December 29 holding a election the country got rid of military and authoritative rule and an elected government came into power through a overwhelming victory. The controversial roles and acute criticisms of then military backed Caretaker Government had been generated the idea of changing the form of Caretaker Government system. At last, the present government abolished the Caretaker Government system from the constitution through the 15th amendment to the constitution on 30June, 2011. At present, the oppositions are again shouting for restoring Caretaker Government system in the constitution though they have experienced a bitter past from it. When the idea of the Caretaker Government system was floated in 1996 by Jamaat and then picked up by Awami League, it was fiercely opposed by the BNP which was in power. And now that it has been cancelled, demand for its restoration is being opposed tooth and nail by the government again. The thought of having such a system reflected the fragility of our democracy and political strength; we could not trust a government to hold free and fair elections. The demand for restoration of Caretaker Government only shows how little we have thought of institutionalizing democracy since 1991. Four main pillars such as Parliament, Election Commission, Judiciary and Bureaucracy that could ensure free and fair polls even without a Caretaker Government. Parliament has been boycotted year after year by the opposition, the opposition has been denied a voice by the treasury bench, parliamentary debates have been trivialized and Article 70 to the constitution bars expression of individual opinion irrespective of party alignment. The Election Commission (EC) has also remained a subject of question regarding its neutrality. This is because its commissioners are nominated by the prime minister and appointed by the president. The judiciary is the guardian of the constitution and its independence can be maintained by not making appointments political. But we have seen repeat shows of supersession in appointment of the chief justice both by the BNP and the Awami League governments. And it is no secret that the bureaucracy is now ever politicized. All these conditions have led to the thinking that a fair election can not be held without a Caretaker Government in place. But even then every losing party has talked of rigging and election engineering after each election. Now, as the BNP demands restoration of the Caretaker Government and the Awami League opposes it, neither of them pays heed to strengthening the democratic institutions, especially the EC and the judiciary. Through initiating these measures, the institutions that can ensure free and fair elections have to be strengthened

and the people's trust in the system has to be restored. And when the country has such a system in place, it does not actually need a Caretaker Government to hold elections. But, democracy has to be institutionalized first. The present government has the power to bring in such changes that would make the need for a Caretaker Government redundant. The party in power and the parties in opposition should concentrate to strengthen our parliament so that a consecutive parliamentary, democratic and representative government can be activated by which the bare needs of political development can be implemented and applied. Here are some suggestions to accelerate the way of political development: 1. Administrative Reformation, 2. No chance for Military Intervention, 3. Loyal & Disciplined military, 4. Independence of Judiciary, 5. Rule of Law, 6. Constitutional Government, 7. Freedom of press, 8. Popular participation, 9. Role of Civil Society, 10. Effective Parliament, 11. Eradication of Corruption, 12. Specialization, 13. Decentralization, 14. Accountability and Transparency, 15. Competent, subordinate and impartial Bureaucracy, 16. Minority Representation, 17. Strong Political Parties, 18. Proper Management of Natural Resource, 19. Strong & logical opinions of People, 20. Democratic Society.

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