

Civilian Supremacy in Democracies with ‘Fault Lines’: The Role of the Parliamentary Standing Committee on Defence in Bangladesh

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This article sets out to identify the conditions that promote civilian supremacy over the military in the post-military democracies. The article addresses the case of Bangladesh, where a decade-old post-military democratic political process is riddled with problems, such as the absence of opposition parties in the parliament, chronic political instability and violence and inefficient governance. However, the powerful military has not yet shown any inclination towards intervention in domestic politics. Rather, various civilian institutions, such as the Parliamentary Standing Committee on Defence (PSCD), have been successful in raising the level of the military's accountability to the civilian government and society. The article seeks to explain the role of PSCD during 1998–2001 in promoting civilian supremacy in Bangladesh. It argues that three sets of factors can explain the PSCD's role. First, there is intense competition for political power between the two major parties, which resists the military's involvement in politics in favour of any one political party. Second, there is the important role of civil society in favour of civilian supremacy. Third, there are external factors such as the donor countries' and international agencies' stance in favour of democracy and the Bangladesh military's participation in United Nations peacekeeping missions, which are discouraging military intervention in politics at home.

Key words: Bangladesh; Parliamentary Standing Committee on Defence; civil–military relations

Introduction

Attaining supremacy of the civilian authorities over the military is a fundamental challenge for democratic consolidation in post-military democracies. Even after their removal from power, the military authorities often continue to retain their influence over domestic politics and sometimes attempt to jeopardize the democratic process. At the least, militaries in post-military democracies remain keen to preserve their authority over certain areas of policy making particularly those related to defence and national security issues. The weaknesses of the newly found democratic institutions, poor quality of governance under democratic rule and socio-political instabilities also aggravate the challenges for the civilian authority in post-military democracies. Civil–military relations in such democracies are often characterized by a tacit bargaining process, whereby the military retains indirect influence over

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national politics, controls security and defence policy and secures its corporate interests, and in return does not intervene directly to capture political power.¹ Moreover, the political parties in such democracies sometimes even form an alliance with the military to establish or maintain their control over state authority. The military's level of accountability thus remains low and any attempt by the civilian government to assert its full authority over the military often entails the risk of provoking a military coup d'état. Alternatively, the military might provide critical support to the opposition political parties that are willing to bargain with the military on more favourable terms than the ruling party. Borrowing the term of Felipe Aguero, such post-military rule democracies with weak institutions, socio-political instabilities and influential militaries may be called democracies with 'fault lines'.²

However, in some such democracies the process of attaining civilian supremacy does take shape. Examples can be found in Bangladesh, Thailand and Indonesia, where civilian supremacy has recently been on the ascendance despite the presence of democratic fault-lines in varying degrees and manners;³ yet looked at in the context of the general theoretical literature on civil–military relations, the many problems of democracy in such countries would seem to offer ample scope for the military to dominate the political process and even depose the elected government. Examination of the political process in democracies with fault lines can help identify the variables and factors that enhance the capacity of otherwise faulty civilian administrations to raise the military's level of accountability and to check its influence in domestic politics.

This article attempts to understand the internal and external socio-political conditions that facilitate the process of civilian supremacy in post-military rule democracies with fault-lines. The major focus of the paper is on Bangladesh. The democratic process in this country is only a decade old and it has exhibited numerous illiberal and other flaws. The democratic institutions have remained weak, the performance of the government has been poor and frustrating for the people, the military has continued to hold an influential position in politics and society, and yet recent political trends in Bangladesh have demonstrated a gradual development of civilian supremacy. In particular, several civilian institutions have attempted to exert control over defence issues and policies, and thereby increase the accountability of the military, with some degree of success. The activities of the Parliamentary Standing Committee on Defence (PSCD) demonstrate this process clearly. During the term of the second democratically elected government in the post-military rule era (1996–2001), the committee made substantial efforts to establish civilian authority over defence matters by questioning and evaluating defence policy, defence purchases and past irregularities within the armed forces.

The committee's attempt has been unprecedented in the history of Bangladesh, where years of direct or indirect military rule (1976–90) placed a virtual taboo on any kind of civilian discussion about defence issues. In carrying out its activities, the PSCD came into conflict not only with the military, but also with sections of the civilian government, which were more interested in appeasing the influential armed forces. However, the committee received firm support from the media, intelligentsia and sometimes from the judiciary and significantly, the committee's role did

not provoke any coercive reaction on part of the military. Rather, high-ranking officers of the armed forces have appeared before the committee and in front of the judiciary and also gave out press releases and even personal interviews in the media to defend their position.

This article focuses specifically on the issues raised and discussions held in the committee and try to identify both the internal and external conditions that could have aided the committee's activities and at the same time discouraged any violent response from the military.

Conceptualizing Civilian Supremacy

Civilian supremacy, according to Felipe Aguero, implies 'elected civilian officers control all areas of government policy, including the critical areas of security, national defence and armed forces'.⁴ Diamond and Plattner argued in a similar vein: 'Civilian supremacy entails more than simply minimizing military intervention in politics. It requires the establishing the primacy of elected civilian authorities (executive and legislative) in all areas of policy including the formulation and implementation of national defence policy'.⁵

Establishing civilian supremacy over the military is particularly crucial for the countries attaining democracy after prolonged military rule. For successful democratic transition, the democratic governments have to pursue the task of curbing the military's influence upon the political process and defining its institutional status within the emerging democratic framework.⁶ In fact, Aguero has observed rightly that for newly democratized countries, 'the assertion of civilian control could be seen both as a support mechanism for democratic construction and an indicator of the success and extent of postauthoritarian democratization'.⁷ Both Aguero and Muthiah Alagappa have traced the essential features and phases of attaining civilian supremacy in a post-authoritarian political scenario. They include: removal of the military from power positions outside the defence area; appointment of civilian political superiors in defence and military areas; development of political institutions; voluntary abstention on part of the politicians in terms of involving the military to safeguard their power position; the management of internal conflict through political and socio-economic means; and so on.⁸ Aguero captured neatly the essence of civilian supremacy in post-authoritarian/post military rule democracies by defining it as: 'the ability of a civilian, democratically elected government to conduct general policy without interference from the military, to define the goals and general organization of national defence and conduct defence policy, and to monitor the implementation of defence policy'.⁹

Military and Politics in Bangladesh: Background

In independent Bangladesh, direct military intervention in politics began with the coup against the Awami League government in August 1975. The coup involved the assassination of Sheikh Mujibur Rahman, the first Prime Minister of the country. The relationship between the Awami League government and the armed

forces was marked by reciprocal mistrust and suspicion, which became complicated further due to the intense internal rivalries within the armed forces and the massive deterioration of the overall economic and law and order situation of the country. Emajuddin Ahamad pointed out that the armed forces could perceive clearly that their corporate interests were not safe in the hands of the Awami League regime.¹⁰ The gradual reduction in the defence budget and more importantly, the creation of a paramilitary force, the *Jatiya Rakshi Bahini* (National Security Force), as almost a parallel organization to the regular armed forces, made large sections of the military antagonistic toward the government. Such hostility was aggravated further due to the acute rivalry within the military between ‘the “freedom fighters” (those who fought a war of liberation in 1971) and the “repatriates” (who had been in West Pakistan during the period of liberation war and who returned to Bangladesh in 1973–74)’.¹¹ The repatriated officers were clearly frustrated over the ‘preferential treatment’ given to the freedom fighters and the freedom fighters felt insecure due to the numerical superiority of the repatriates. This rivalry also divided the military along an ideological line, where repatriates regarded most of the freedom fighters as secularists, socialists and pro-Indian, while the freedom fighters stereotyped the repatriates as opportunists and pro-Pakistan. There was also a cleavage between those who wanted to build a national army following the style of communist China and those who preferred a strictly professional army based on the pattern of British India and Pakistani armed forces.¹² India’s hegemonic attitude towards Bangladesh in the immediate aftermath of its liberation indeed contributed towards the nationalist zeal of a large section of the armed forces against the ‘pro-Indian’ elements of the military and against the civilian government, which they perceived as serving India’s purpose at the cost of national interest.¹³ In the context of a collapsing economic and law and order situation, the frustration and cleavages within the armed forces ultimately paved the way for the bloody coup of August 1975.

After the fall of the Mujib government, a series of attempted coups and counter-coups virtually paralyzed the governance system. The pro-Awami League sections made several unsuccessful bids to prevent the radical forces from taking control. Ultimately in 1976 the then Army Chief Major-General Ziaur Rahman (Zia) emerged as the first military ruler of the country. While the repatriate wings backed Zia firmly, his personal image as one of the leading freedom fighters helped him also to strike a balance between the repatriates and the freedom fighters. Zia took several important measures to civilianize his military rule and the most significant of them was the establishment of the Bangladesh Nationalist Party (BNP), which later turned into a formidable force in Bangladesh’s politics under the leadership of Khaleda Zia, the wife of Zia. Zia’s emphasis on the development of a distinct ‘Bangladeshi’ national identity with a religious overtone, along with his anti-Indian postures, was able to mobilize the support of a large section of the bureaucrats, military officers, business-people and others who conceived Awami League’s ‘secularism’ as a threat to their religious identity and a symbol of domination by the Hindu majority India. In later periods, this section constituted the major support base for the BNP.

Zia’s brief period of rule was also marked by a series of attempted coups by the freedom fighters and the ultra-leftist factions of the army. On each occasion, Zia was

instrumental in eliminating the opposition by death penalties and dismissals. However, in 1981 a group of dissident officers ultimately staged another bloody coup, which killed Zia while he was in an official tour in Chittagong, the port city of Bangladesh.

In 1982, Lt General Hussain Muhammad Ershad captured power by ousting the BNP government led by retired justice Abdus Sattar. It was particularly during the nine-year rule (1982–90) of Ershad that the members of the armed forces became dominant in most of the political and social institutions. The strength of the armed forces was increased from 60,000 in 1975–6 to 101,500 in 1988–89. The defence budget increased on average by 18 per cent annually over the period, while the total yearly budget rose by only 14 per cent. The military officials took over key civilian posts in bureaucracy, foreign missions and even business corporations.¹⁴ Accordingly, defence issues were turned into highly sensitive concerns, over which military elites exercised total control. There was almost no transparency and accountability whatsoever regarding the activities of the armed forces, defence purchase or military operations.

Ershad was relatively more successful in overcoming the internal schisms within the armed forces. As a repatriate officer himself, he could master the support of the repatriate wing. Moreover, as Talukdar Maniruzzaman observed, the strength of the freedom fighters and leftists in the military were already in decline due to the reprisal measures Zia took following the unsuccessful coup attempts. Also, the officers recruited in the post-liberation period ‘resented the monopoly of patriotism claimed by the “freedom fighters” and had already made common cause with their “repatriate counterparts”’.¹⁵ Thus, Ershad could enjoy a more cohesive support base within the armed forces. He also took some measures to civilianize his authoritarian rule by establishing political parties and holding elections to parliament. The Jatiya Party established by Ershad, earned a degree of legitimacy in democratic politics of Bangladesh in later periods, but could never emerge as a consolidated political force such as the BNP.

The Ershad regime fell from power in 1990 in the face of a massive mass movement jointly led by the BNP and Awami league. The student wings of the political parties, together with various civil society and professional groups, played the most vital role in organizing the movement. Their violent demonstrations and complete non-cooperation with the government ultimately led to the downfall of Ershad.

The demise of the military’s control over politics in 1990 and the process of transition to democracy indeed critically influenced the pattern of the civil–military relations in Bangladesh afterwards. Ershad was regarded widely as a master politician who could not only ensure cohesive support of the armed forces but also could prevail over the opposition political parties for nine long years, often by employing a ‘divide and rule’ strategy. In fact, before 1990, each time the political movement seemed to reach its peak, Ershad was successful in breaking the unity between the BNP and the Awami League. However, he failed completely to dominate the civil society of Bangladesh. As Talukdar Maniruzzaman pointed out, ‘As a matter of fact the nearly nine year regime of Ershad can be described as Ershad’s attempts to conquer the civil society which ultimately ended in the destruction of his authoritarian

regime'.¹⁶ The political wings of the students of the University of Dhaka were main organizers of the movement of 1990, which ultimately brought his downfall. Despite their affiliation with the mainstream political parties, the student wings decided independently to launch a united movement and their spontaneous unity almost forced the national political parties to join in a common platform. Other important sections of the civil society, such as the intelligentsia, non-governmental organizations (NGOs), lawyers of the Supreme Court and the Association of the Workers and Employees, also resented the military rule and played a crucial role in the movement.

The changing international environment in the late 1980s, with the Cold War coming to an end, altered significantly the pattern of external economic and political supports to the Ershad regime. Although the donor agencies and countries appeared to be reluctant to pressure Ershad for political reform even up to 1988, their attitude began to change substantially from 1989, when they started criticizing the government for failures in economic policy and not implementing political reform measures. External pressures indeed curtailed Ershad's strength against the pro-democratic forces. As Monoar Kabir Bhiyan pointed out, 'As the hearing on the Bangladesh Aid Bill in the US House of Representatives and the annual meeting of the Consortium [for providing foreign aid to Bangladesh] drew near in early 1989, the government began to float various proposals about mid-term elections that would accommodate pressures that it felt were coming from the United States and elsewhere. The government even went as far as agreeing to allow international observers to monitor the elections to allay any opposition fear that elections under Ershad could not be free and fair'.¹⁷ There were also threats to forestall all aid and assistance from Britain and Japan, when Ershad declared a national emergency to resist the mass movement in late November 1990.¹⁸ The international pressures not only weakened Ershad directly but also boosted the confidence of the civil society and the opposition political parties concerning the support for democratization they could expect from the international community.

As far as the military was concerned, it did not provide the critical support which constituted the foundation of the Ershad regime for nine long years. Many officers perceived the mounting allegations against Ershad for personal corruption and moral turpitude as debasing the image of the military as an institution. Sections of the armed forces were disinclined to share in the blame for the corruption associated with members of the Ershad administration's civilian political wing, the Jatiya Party. In addition, the perceived interest of external donors in seeing democratic pluralism come about in Bangladesh substantially discouraged the military from giving all-out support to Ershad.¹⁹ On 4 December 1990, reportedly, the senior army officers led by the then Army Chief, Lieutenant General Noor Uddin Khan, decided at a meeting that the army could no longer support Ershad.²⁰ The decision prompted Ershad's resignation on 5 December 1990 and he handed over power to the Chief Justice of the Supreme Court, Justice Shahabudin Ahmed.

The first free and fair election in the country's history took place in 1991. The BNP formed the first meaningful democratically elected government and established a parliamentary system of democracy. Since then there have been two more elections in 1996 and 2001, whereby both the Awami League and the BNP, respectively, were able to form governments.

The process of transition to democracy from military dictatorship shaped at least three important determinants of civil–military relations. First, the civil society emerged as a well-organized force to be reckoned with. The anti-Ershad movement of 1990 was organized basically by the civil society, while the backing of the major political parties came only at a later stage. This sheer demonstration of strength made the military much more cautious in dealing with the civil society in later periods. Second, as the military withdrew their support to Ershad during the peak of the movement, it could largely retain its strength as an institution even after the fall of Ershad. This made it easier to engage in bargaining with the civilian governments afterwards for preserving at least basic corporate interests. Third, the military's concern about the image of the institution became a crucial factor in its relationship with the civilian government. Due to their conservative orientation (often shaped by Islamic religious principles), a large section of military officers perceived Ershad's depravity as severely diminishing the image of the armed forces. Thus, restoring the military's image as a moral and efficient organization became one of their most important concerns. Later, the military's active participation in the United Nations peacekeeping operations enhanced further this importance of image and discouraged the military's direct intervention in politics.

Exploring the Fault Lines of Democracy in Bangladesh

One of the critical problems facing the democracy in Bangladesh is the lack of political tolerance and mutual mistrust between the two major political parties. Acute rivalry between the Awami League and the Bangladesh Nationalist Party (BNP) has jeopardized the process of democratic consolidation. Both parties thus far have shown very little respect for the principles of parliamentary democracy and have performed poorly in solving socio-economic problems. Both parties have used repeatedly the tactic of refusing to join the parliament if they have not managed to win the election. During 1996–2001, 36 of the first 37 working days, the parliamentary sessions could not achieve a quorum because the members of the opposition did not participate.²¹ The leaders of the two parties, Sheikh Hasina of the Awami League and Khaleda Zia of the BNP, have engaged even in harshly criticizing and defaming each other at a personal level. Both parties have brought corruption charges against each other's top ranking members. To topple the elected government, the opposition has resorted frequently to nationwide strikes and non-cooperation, leading to death, violence, riots and arson. As K. M. Mahabub Khan and Syed Anwar Hussain observed, 'Both parties seemed to have forgotten that in a parliamentary system the majority party governs and opposition parties assist in the process by criticizing genuine policy failures of the government and offering viable policy options'.²² When in government, both parties have resorted to violent measures to curb the opposition's movements, physically arresting and torturing opposition leaders and workers.

Throughout the period of democratic rule, political violence and prolonged national strikes have affected adversely the country's poor economic conditions (per capita income of approximately US\$350). According to the annual report of

the World Bank for 2000, Bangladesh sustained a cumulative economic loss of \$60 million every day due to the strikes called by the opposition parties.²³ The situation has been compounded by the severe deterioration of law and order situation. Incidents of political murders, rape, throwing acid at women and murders in police custody have grown enormously during the last decade. The alleged rise of Islamic extremist groups in various corners of the country has aggravated further the state of tensions and insecurities in Bangladesh. The governing ability of the ruling political parties has been seriously questioned. According to a newspaper estimate, during 1996–2001 there were 837 murders (of which 286 occurred while the victims were in police custody), 4,253 rapes and 28,623 incidents of injury due to political violence.²⁴ While the holding of regular elections and increasing voter turnouts indicates the prospect of democracy in Bangladesh, political intolerance, violence and poor quality of governance are certainly undermining democratic consolidation.

Democratic governments in Bangladesh have also not been able to attain full supremacy over the military. They have generally been careful to keep certain military interests satisfied. This is reflected in the progressive increase of the defence budget both under the BNP and the Awami League governments – between 1991 and 2000, annual defence expenditures in US dollars [at constant (1998) prices and exchange rates] increased from a total of 375 million to 632 million, and except for the period between 1995–96, when there was a reduction from 546 million to 536 million, total defence expenditures increased continuously.²⁵ In addition, there are widely shared assumptions about the political parties' liaison with the influential military elites for capturing state power. One particular incident, which strengthened such suspicions, was the attempted coup by the then chief of Army Lt General Nasim (Nasim) in 1996. He allegedly mobilized forces against the President Abdur Rahman Bishwas, just a few weeks before the general election; but due probably to lack of total support from the military, nothing actually materialized and Nasim was forced to retire by a presidential order. The country was then being run under a neutral caretaker government.²⁶ The actual reasons behind this military mobilization are not yet clear. Different interpretations suggest that this was either the result of an attempt by the BNP-nominated president to postpone the election by creating an emergency situation or, probably, the Awami League wanted to capture power by using the military.²⁷

Also after the general election in June 2001, the present opposition party Awami League claimed that the BNP used the army to swing the electoral results in its favour. The present BNP government granted indemnity formally to all the armed forces officials allegedly involved in extra-judicial killings during a joint operation of the armed forces and the police (Operation Clean Heart) against domestic criminals and terrorists in 2003. The attitude of the executive and other sections of the government towards the activities of the PSCD, discussed later in this paper, also showed the civilian government's inclination to safeguard the corporate interests of the military. However, at the same time the elected civilian governments did take some measures to maintain a degree of advantage in the relationship with the military. Both Khaleda Zia and Sheikh Hasina retained the portfolio of defence, placed the Armed Forces Division (established during the period of military rule as the Chief Martial Law

Administrator's Secretariat) under the Prime Minister's office and kept strict control over promotion, appointment and firing in high-ranking military positions.²⁸ Thus, in an unstable and poorly performing democracy, civil–military relations remain balanced precariously, lacking the necessary tight control over the military to ensure proper democratic consolidation.

Civilian Supremacy through the Parliamentary Committee on Defence: Evaluation and Explanation

While the subsequent executives under democracy remained careful not to impinge on the prerogatives of the military, a process of civilian supremacy took shape through the activities of the Parliamentary Standing Committee on Defence during 1998–2001. The major contribution of the PSCD lies in raising public awareness and promoting open discussion on various defence-related issues that were considered inviolable in the past. Once the PSCD started questioning the military's prerogatives over 'sensitive' defence issues, the civil society in Bangladesh, particularly the media, became active in constructing a public space for debating the issue of the military's accountability.

Three interrelated factors were responsible for creating a relatively autonomous space for the PSCD to attempt to promote greater civilian control over the military in Bangladesh. First, there was intense competition between the two major political parties to capture state power, which influenced the opposition members of the PSCD to try to restrict any possible alliance between the government party and the powerful military. Second, there was the role of civil society, particularly the media, in supporting civilian supremacy; and third, external factors such as the donor pressure for democratization and involvement of the Bangladesh military in international peacekeeping operations, also helped to shape an environment that reduced the risk faced by challenging the military's prerogatives. A combination of these factors provided a broader socio-political support base for the PSCD to promote accountability of the military in the areas of defence budget, purchase and irregular activities inside the armed forces.

Before explaining these factors in detail, however, it is necessary to evaluate the major issues that arose in the discussions of the PSCD and explain why these are important for understanding the changing nature of civil–military relations in Bangladesh.

Discussions at the PSCD: Issues and Relevance

Under the seventh Parliament, the defence committee was set up in December 1998, holding a total of 33 meetings. The committee was composed of ten members, of whom six were elected members of parliament from the then ruling party Awami League, and four were MPs from the major opposition parties, the BNP and the Jatiya Party. Among the issues raised in the committee, two were particularly significant for civil–military relations in Bangladesh: defence purchases and budget; irregular activities inside the armed forces during the period of military rule, mainly the killings of military personnel, and also their illegal dismissal from service.

These issues were crucial, because they affected directly the ‘corporate interest’ of the military. As Alagappa has pointed out correctly, in post-authoritarian politics one of the central objectives of the military remains in safeguarding their corporate interests such as autonomy in institutional matters (which includes defence purchases and also influence over the defence budget) and amnesty for past human rights abuse and other atrocities.²⁹ Thus, the assertion of civilian authority over defence purchases, budgets and past irregular activities of the armed forces can be considered as a crucial step towards attaining civilian supremacy.

Defence Purchases and Budget

The committee initiated, for the first time in Bangladesh, a process of questioning defence purchases and budget. Previously these areas had remained strictly under the military’s control and were barely discussed or questioned by civilian institutions.

The committee came into severe conflict both with the civilian government and the military over the issue of purchasing eight fourth-generation MiG-29 fighters from the Russian MiG-Mapo military–industrial complex in 1999 for a total of \$124 million and a 23,000-ton naval frigate from the South Korean company Daewoo in 2000 for \$99.97 million. The Defence Technical Co-operation Treaty with Russia (February 1999) set the terms of purchasing the MiG-29 aircrafts. These defence purchases were the largest in Bangladesh’s recent history – in fact, during 1987–97 the total annual amount spent on arms imports had never exceeded \$146 million.³⁰ At its 12th meeting, the committee decided to review the purchase agreement and related papers; but the elected government was reluctant to hand over the agreement and papers to the committee. This emerged as a serious issue of contention between the PSCD and the Defence Ministry and the armed forces, especially when the first instalment of payment was made without presenting the papers. Major (Retired) Akhtaruzzaman, a member of the committee from the major opposition party in the second parliament (in the post-military rule years), BNP, filed a writ petition in the High Court in September 1999, arguing that the Treaty with Russia should have been placed before the parliament prior to going ahead with the purchase decision. Upon his petition, the high court ordered a stay of further payment against the MiG-29 purchase on 28 September 1999. This was indeed a remarkable breakthrough in terms of enforcing accountability in defence purchases. However, while the issue remained hanging in the court, the government finalized payments for the purchase. Later, in March 2000, the High Court rejected the writ stating that the agreement with Russia was not a treaty *per se* according to the Article 145A of the constitution of Bangladesh. However, the Court recommended strongly that for the sake of transparency, the government should have no objection to produce the papers and the documents to the chairperson of the PSCD.³¹ Finally, in January 2001, the PSCD took hold of the treaty. Although, ultimately, the government went ahead with its decision to buy the aircraft, the committee’s role indeed showed the efforts of a civilian institution to increase the level of accountability in defence purchase. The PSCD played a similar role in questioning the irregularities in the frigate purchase.

Another important step taken by the committee, although with little success, was the review of the entire defence budget in its 28th meeting in January 2001. This was the first time in the history of Bangladesh that a parliamentary committee scrutinized the defence budget. The committee members investigated the allocation of budget in different sectors of defence and upheld the importance of maintaining transparency.

This role of the committee contributed clearly towards developing the accountability of the military to the civilian authority. The committee also made issues related to defence purchases and the defence budget more public than ever before and thus increased the level of transparency in these areas.

Irregular Activities inside the Armed Forces

The committee also investigated the highly sensitive issue of prior irregularities concerning dismissals of army officials and their killings during the major military coups d'état, including the coup against President Zia in 1981, the military coup led by General H. M. Ershad in 1982 and the attempted coup of General Muhammad Nasim in 1996. A three-person subcommittee was formed during the ninth meeting of the PSCD to address these issues.³²

Tensions surfaced when the subcommittee started to investigate the complaints received from the army officers sentenced under court martial and from their families. For approximately a year from 1999, the Armed Forces Division and the Defence Ministry lingered continuously and delayed the submission of the court-martial proceedings against 12 army officers charged with the assassination of late President Zia before the subcommittee. At the 25th meeting of the main committee, the Army chief declared that the court-martial proceedings could not be shown to anyone, including the President.³³ In response, the committee members reminded the army chief that under Article 76 of the Constitution the Standing Committee can recall any document and refusal to give such documents is tantamount to violation of the Constitution. In September 2000 the Defence Ministry refused to comply with the subcommittee's request. During a meeting of the subcommittee in the same month, the members expressed frustration with the representative of the Defence Ministry for not providing the requested papers and proposed to bring a complaint of constitution violation against the ministry.³⁴

The subcommittee, based on its investigation, presented five reports. The main committee recommended, in October 2000, to revoke the court-martial judgement of 1982 that convicted 37 army officers, of whom 13 were hanged, for killing President Zia. Also, later in January 2001, the subcommittee challenged the forced retirement of 300 Air Force personnel during Zia's military regime due to their alleged involvement in an attempted coup in 1977. The members recommended that the officers be provided with due compensation by the government as they had received unlawful treatment. The members also expressed their intention to evaluate some of the other controversial court-martial verdicts during the military regimes.

The steps taken by the committee to explore previous irregular activities was obviously discomfiting for the military. The committee members challenged not

only the traditional taboo on openly discussing the so-called internal matters of the armed forces, but also exposed some of the high-ranking officials to substantial risks. During the second meeting of the subcommittee, the then chief of the Army argued that rather than digging up the past it was more important to concentrate on modernization of the army, especially in the context of the nuclearization of India and Pakistan.³⁵ His statement revealed clearly the intention of the armed forces to avoid any accountability regarding their 'inside' matters. The complaints that the committee formally investigated, the stories of the military's abuse of power that came to light and the recommendations that the committee made challenged such an attitude of resisting accountability to the civilian authority.

Significance of the Role of PSCD

The fact that, in practice, the committee could not resist the defence purchases it challenged and none of its recommendations has been implemented thus far may raise questions about the actual significance of the committee's role. However, this study argues that for several reasons the active functioning of the committee, within a short span of time, reflected a broader process of transition towards a culture of civilian supremacy.

First, the more or less regular meetings, substantial attendance, the presence of high-ranking army officials at the meetings suggest the development of a certain sort of acquiescence in or support for the legitimacy of the civilian authority among the population at large as well as the political elites. In fact, as Pakenham observed in the case of Brazil, even the regular and uninterrupted operation of the parliament can produce a wider and deeper sense of the civilian government's moral right to rule and exert its authority among the relevant populace and elites.³⁶ This article holds that the committee's activities have been crucial for the strengthening of the legitimacy of democratic institutions vis-à-vis the military.

Second, the defence committee also served as what Alan P. Balutis described as 'an instrument of political education',³⁷ which raised the level of awareness about the defence issue in the civil society. The probing debates, investigations and recommendations of the committee received extensive coverage in the media (elaborated later). Such reports elicited concerns and discussions among the general population and the intelligentsia, especially about the rationale for extravagant spending in defence purchases and the alleged corruption by the government-military nexus. Several well-publicized seminars and round-table discussions on the issue of defence purchase and spending took place during 2000-01, when the committee was debating strongly the purchase of MiG-29s and the frigate. Prominent intellectuals, retired army officers and, most significantly, even some of the members of the PSCD participated in such events and unequivocally stressed the need of greater civilian supremacy. Such candid and elaborate discussions about defence issues at the civil-society level have been rare in Bangladesh. The issues brought forth by the committee thus increased greater social concern and involvement in defence matters which, in the long term, can contribute substantially towards developing accountability of the military to the elected civilian leaders.

The Role of the Defence Committee: Explanation

Having shown the significance of the committee's role in terms of changing directions of civil–military relations in Bangladesh, this account now turns to explaining the role of the defence committee. The explanations offered in this section focus both on the particular activities of the committee and on the broader process of civilian supremacy that such activities manifest.

Struggle for Power under Democracy

The rivalry for political power between the Awami League and the BNP has been a major factor that motivated the PSCD's efforts. The pattern of discussions at the PSCD meetings clearly supports this proposition. Both the parties attempted to resist each other's alliance with the influential military for their keen interest in capturing state power. The discussions in the committee, more than anything, exposed the intensity of competition for political power between the government and the opposition. The opposition party members in the committee were active from the beginning to bring the contentious issues such as defence purchases, budgets and irregularities inside the armed forces to the agenda. In the third meeting of the committee, Mr Akhtaruzzaman argued that instead of spending huge amounts of money in buying tanks and aircraft, Bangladesh should purchase anti-aircraft and anti-tank weapons. On the question of purchasing MiG-29 aircrafts and the frigate, the government and opposition parties took directly opposite positions, with the former supporting the purchase decisions actively. Mr Akhtaruzzaman from the BNP played the major role in bringing the issue to the judiciary and publicizing it in the newspaper by giving statements and holding press conferences. During the sixth meeting of the committee, Mr Faruk Khan from the government party argued that purchase of MiG-29s should be considered as an administrative matter of the Defence Ministry and a concern of the Air Force. He maintained that the committee should not interfere unless there were any specific allegations about irregularities.³⁸ However, at the eighth meeting Mr Akhtaruzzaman wanted an explanation from the Defence Ministry for permitting the purchase of MiG-29s from Russia in 'violation of national interest' and proposed that the defence committee should impose a ban on the purchase. However, Mr Faruk Khan continued to emphasize that the Air Force should have the primary authority over deciding what sort of aircraft they are going to buy.³⁹ Such differences of opinion also continued to surface in other meetings. In an interview one defence committee member alleged, on condition of anonymity, that the government party members of the defence committee deliberately tried to avoid discussions about defence purchases and stalled the analysis of purchase documents and other papers.⁴⁰

The major motivation for the committee members from the opposition BNP in challenging defence purchases were twofold; first, to expose possible governmental corruption and second, to resist the ruling party's alliance with the military. Without doubt, the military in Bangladesh continues to hold significant political influence. During each of the three elections in last 11 years there has been considerable speculation about the possible role of the armed forces in determining the election

outcomes. The coup attempt by General Nasim in November 1996 only strengthened such speculation. Therefore, both the major parties remain suspicious of the other's relationship with the armed forces. The position of the BNP in the PSCD reflected mainly their deeper concern over the potential convergence of interests and alliances between the government and the military, which would strengthen the Awami League's hold over power.

On the other hand, the Awami League has always been suspicious that the BNP, having been established by a military person and having an anti-Indian posture, has more sympathizers within the armed forces than the Awami League.⁴¹ In fact, the initial divide within the military between the 'repatriates' and the 'freedom fighters' transformed largely into a divide between the 'pro-BNP' and 'pro-Awami League' forces in later periods. Large sections of the members of the armed forces apparently remain more lenient towards the BNP because of their conservative orientation and anti-Indian outlook, although some senior officers in key positions reportedly have a 'pro-Awami League' bias.⁴² The dominant tendency of the subsequent civilian governments has been to consolidate their support base within the military, by putting their 'trusted people' into important positions and simultaneously satisfying the military's corporate interest to develop an effective relationship with the institution as a whole, thus ensuring its non-intervention. Because the Awami League remains more suspicious about the possible influence of the BNP over the armed forces, on one hand it tried to develop better ties with the military by promoting the corporate interests, and on the other hand allowed a functioning defence committee to enhance its bargaining capacity vis-à-vis the military.

The process as a whole reflects the mutual suspicion between the major political parties about each other's intention of politically manipulating the military. As both of them compete for state power, such suspicion acts as a barrier to check the military's influence in politics. The interest of the military and the Awami League government did converge in the issue of defence purchase. At the 12th meeting of the PSCD, the then Air Force Chief, Air Vice Marshall Jamaluddin Ahmed, who was also the chief of the committee for negotiating the MiG purchases, appeared before the committee. In answering the committee's queries, he boldly defended the government's position in favour of the purchase. It was this convergence of interest between the ruling party and the military that the opposition BNP was attempting to prevent. The activities of the defence committee thus largely reflected the working of mutual suspicion and keen competition for power among the major political parties of Bangladesh.

The Role of Media in Civil Society

The role of civil society, particularly the media, has been crucial for the development of civilian supremacy mechanisms. As pointed out earlier, civil society in Bangladesh emerged as a significant factor in state-society relations during the movement against the military regime of Ershad in the 1980s. After the founding of democracy, civil society emerged as the system's most crucial support base. As Amena Mohsin noted, 'Though there is a polarization on crucial national questions (within the civil-society), on the question of regime there is a full consensus that it has to be a

civil democratic regime, no matter how imperfect it may be'.⁴³ Under conditions of democracy, the role of civil society became more important with the freedom of media and proliferation of NGOs. During the protracted military rule there was stringent official control over the media, and the authority censored the published items strictly. Publishing any news criticizing the government, let alone the defence establishment, carried enormous risk. The democratic governments after 1990 gradually removed official control over the newspapers, although television and radio continued to be state-run. The result was a surge in the publication of newspapers under private ownership and a rapid increase in readership.⁴⁴ The involvement of large amounts of private capital in media business significantly strengthened civil society's voice and outreach. Newspapers supplied the necessary information to civil society for making informed political decisions. Newspapers also began to function as the watchdogs of the government, critically assessing its policies and advocating changes. As Martin Shaw argued, 'the dual "representational" function of media, in the senses of information and advocacy, places them primarily in the sphere of civil society'.⁴⁵ This civil society role of the media emerged as a strong challenge to the military's lack of accountability under democracy in Bangladesh. Another source of strength came from non-governmental development organizations (NGOs), which received critical support from international donor organizations. With their growing ability to organize people at the grass-root levels, the NGO community enhanced the influence of civil society in Bangladesh.

From 1997–8, critical analysis of defence issues began to appear in the national daily newspapers for the first time. During the same period, the parliamentary committee also began to probe into defence matters and the media, with its newfound freedom, gave extended coverage to its activities. The committee's discussions and recommendations were published on the front pages of the major national daily newspapers such as the *Daily Star*, *Prothom Alo* (Bengali), *Bhorer Kagoz* (Bengali), and so on. These newspapers also published a number of editorials supporting the activities of the parliamentary committee overwhelmingly.⁴⁶

The way in which newspapers projected the committee's activities also reflected their strong support for civilian supremacy in the country. Frequently, even minor procedural issues appeared on the front pages and the news often produced sparkling headlines such as: '*Beggars Should Not Buy Fighter Jets – Two defence committee members bring new allegations about Mig-29 purchase*',⁴⁷ '*JS Body's Stand A Landmark Decision*'⁴⁸ (about revoking the court-martial judgement of 1981).

The military responded to such pressure by providing clarifications of its position in the press releases of the Inter Services Public Relations (ISPR). Also, high-ranking military officers sometimes gave interviews to the national daily newspapers. On the issue of the MiG-29 purchase, the then Air Force Chief himself gave an interview to the *Daily Star*, where he sought to defend the position of the military and the government in favour of the purchase.⁴⁹ The language of the editorials, the news headlines and the style of reporting indicated clearly the firm support of the media for the activities of the committee. Several journalists pointed out that even three to four years ago they would not feel 'secure' in publishing 'critical' views about defence matters. Now, as such views are discussed openly in a government forum, they feel more

confident in doing so. In fact, one of the journalists interviewed revealed that he sometimes received cues about various defence-related issues from a member of the defence committee, who wanted to float the issue in the media so that it would become easier to raise it later in the committee.⁵⁰ Therefore, the relationship between the media and the committee appears to be mutually reinforcing, leading towards a greater involvement of society in defence issues and thereby raising the accountability level of the military.

The Role of External Pressures and Incentives

The post-cold war consensus among powerful countries about promoting democracy worldwide acts as an important factor that promotes an environment where activities of institutions such as PSCD are less likely to provoke any military intervention in Bangladesh. Given Bangladesh's enormous dependence on external aid and investment, foreign aid donor agencies and investing countries can influence substantially its domestic politics. All the main donors to Bangladesh now place much emphasis on the importance of democracy and civilian rule as criteria for receiving aid. In the United States' foreign aid agenda, promotion of democracy in the recipient countries has emerged as a major condition for aid disbursement. In December 1990, the US Agency for International Development (USAID) launched the 'democracy initiative', which was to provide support for democratic political development, both as a fundamental value in itself and as a means to broad-based economic growth.⁵¹ The USAID funded specific programmes to help consolidate civilian rule in the newly achieved democracies. The programmes included dialogue between civilian and military authorities, instructing government officials and legislators in military budgeting and military policy, and so on.⁵² Other major donors such as Japan and the European Union are similar in their approaches.

The likelihood that international pressure does influence the military's non-intervention in politics can be deduced from two major factors: (a) the geopolitical position of Bangladesh in the post-cold war world and (b) its dependence on foreign aid and investment. From the geopolitical point of view, Bangladesh is not proximate to internationally important trade routes, and the country's economic and market conditions are not automatically attractive to inwards investment and trade. During the cold war, Bangladesh had a relatively more significant geopolitical standing due to its boundaries with India, which was the principal Soviet ally in South and South East Asia. The successive military dictators of Bangladesh, like many other third-world countries, utilized the country's geopolitical advantage to ensure its international legitimacy and flow of aid from the western donors. Those days are gone, as the donors' attitude towards the Ershad regime during 1989–90 showed clearly. At the same time, Bangladesh remains as one of the world's poorest countries, with gross national product (GNP) per capita of US\$360. Foreign aid and loans finance more than half of its development budget. Thus, the donors' support for continuation of democratic rule is a significant barrier to the military's interference in politics. As Howard B. Schaffer, a former US ambassador to Bangladesh, observed: 'The present military commanders have not shown any discernible interest in resuming the patterns of the past. They are no doubt aware that any such move could have a disastrous

impact on Bangladesh's prospects for receiving the international assistance it needs to advance its economic development.⁵³ Indeed, without the support of its main international partners in development it will be difficult for a politically ambitious military to legitimize its rule and manage the country's economy.

Moreover, following the terrorist incidents of 9/11, the international environment has seen increased importance placed on preserving democracy in a Muslim country such as Bangladesh. In fact, the entire western doctrine of combating terrorism generally presupposes democracy as a necessary condition to restrain the rise of religious extremist elements. Because democratic forces in Bangladesh are already well organized, the western countries and donor agencies are now even less likely to support any authoritarian regime in Bangladesh under a conservative military.

As international pressures provide disincentives for military interference, the recent involvement of the Bangladesh military in UN peacekeeping operations provides a positive incentive for non-intervention. Starting from late 1980s, Bangladeshi military personnel have thus far participated actively in 25 of 53 UN peacekeeping missions.⁵⁴ Participation in these operations is not only financially rewarding for members of the armed forces, but also professionally prestigious. Participation in the peacekeeping operations increased the stakes in retaining a professional image and reputation for the military, so discouraging direct intervention in domestic politics. To quote Schaffer again: 'They (the military) also know that a military coup would probably lessen the world community's interest in recruiting Bangladeshi troops as international peacekeepers – an overseas service that has been highly lucrative and has bolstered Bangladesh's prestige as well as the military's status and morale'.⁵⁵

Conclusion

The defence committee's efforts and activities are clearly suggestive of the emergence of a process of civilian supremacy in the nascent democracy of Bangladesh. The activities of the PSCD created a civil space for the first time in Bangladesh to discuss defence issues candidly. Some of the issues raised at the PSCD meetings, such as defence purchases or irregularities inside the armed forces, were precisely the issues that the military wanted to keep under their strict control. Although the PSCD did not succeed in all its attempts to regulate the military, it promoted a mechanism of societal accountability which reshaped considerably the overall nature of civil–military relations in Bangladesh. The committee's role provides some significant lessons for countries going through transition in terms attaining proper civilian supremacy.

First, keen competition for power among major political parties can act as a mechanism for checking military's influence in political process. The more organized the parties and greater their stakes in ruling the country, the more there are chances for restricting each other from using the military to gain political leverage. Second, the role of civil society can be crucial in democracies where the political parties and major state institutions seek to develop ties with the military to realize their own vested interests. Third, depending on a country's level of dependence on external

assistance and extent of diplomatic bargaining power, pressure from donor agencies and countries can, to an extent, discourage military interventions. However, for the actual realization of civilian supremacy, the major political parties must reach a proper consensus about its importance for democratic consolidation. Otherwise, a major shift in the power balance in favour of any one party may significantly undermine the reciprocal restraint mechanism that has thus far been effective in Bangladesh. Without any initiative at the political level it would be difficult for the civil society to act independently in a nascent democracy where the military continues to retain significant power. The donor pressures or other external factors may only discourage direct military intervention but they alone cannot ensure proper civilian supremacy, which depends heavily on the internal political configurations. Ultimately, the consensus among the major political actors under democracy would be crucial for ensuring long-term realization of civilian supremacy.

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