

**Role of Opposition in Democratic Politics: A Study with
Special Reference to Bangladesh *Jatiya Sangsad*
(1991-2006)**

Ph. D. Thesis Submitted

By

Mohammad Sohrab Hossain

Assistant Professor

Department of Political Science

University of Dhaka

Reg. No: 108 / 2006-2007



GIFT

Research Supervisor

Professor Dr. Md. Nurul Amin Bepari

Department of Political Science

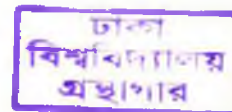
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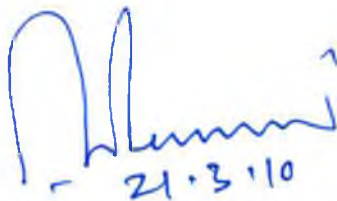
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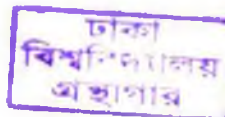
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(Professor Dr. Md. Nurul Amin Bepari)


Research Supervisor

Department of Political Science

University of Dhaka.

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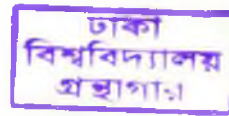
(Mohammad Sohrab Hossain)

Ph. D. Researcher

Department of Political Science

University of Dhaka

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Dedication
To my parents

Contents

	Pages
<i>Abstract</i>	vi
<i>Acknowledgements</i>	vii
<i>List of Map and Diagrams</i>	ix
<i>List of Tables</i>	x
<i>List of abbreviations</i>	xiii
Chapter 1: Introduction	1
Chapter 2: Theoretical Framework	27
Chapter 3: Significance of Opposition in Democratic Politics: Historical Perspective	43
Chapter 4: Re-introduction of Parliamentary Democracy and Role of Opposition in the Fifth <i>Jatiya Sangsad</i> (1991-1995)	63
Chapter 5: Role of Opposition in Formalizing Non-party Caretaker Government (1995-1996)	95
Chapter 6: Role of Opposition in the Seventh <i>Jatiya Sangsad</i> (1996-2001)	112
Chapter 7: Role of Opposition in the Eighth <i>Jatiya Sangsad</i> (2001-2006)	147
Chapter 8: Socio-economic Background of the Members in the Fifth, Seventh and Eighth <i>Jatiya Sangsad</i>	181
Chapter 9: Conclusion	196
<i>Appendices</i>	205
<i>List of Persons Interviewed</i>	214
<i>Bibliography</i>	217

Abstract

This thesis examines the role of opposition in democratic politics of Bangladesh. It specifically focuses on the role of opposition in Bangladesh *Jatiya Sangsad* (1991-2006). This is primarily a qualitative research, conducted on the basis of primary and secondary data. This study concentrates on the role of opposition parties through the various legislative devices inside the *Jatiya Sangsad*. It has also taken into cognizance of the opposition's role outside the *Jatiya Sangsad*. In the parliamentary system of government the opposition acts as an alternative or 'shadow' government. The opposition presents its alternative policy and programs to the electorate as opposed to the incumbent party. The prime role of the opposition is to criticize the actions of the government and pinpointing its mistakes. This research fills out the gap existing in the literature on this particular area of study.

After the re-introduction of parliamentary democracy through the Twelfth Amendment to the Constitution, the role of opposition has become more significant than before. The *Jatiya Sangsad* of the 1990s brought the rise of real opposition in the post-liberation Bangladesh. Reviewed the political developments in Bangladesh since 1991, it is argued in this thesis that the role of opposition in democratic politics has been seldom ideal. The opposition has almost deviated from its assumed role in the parliamentary democracy because of both the ruling party and the opposition's emphasis on narrow partisan instead of national interests. However, the opposition's raising voice outside the *Jatiya Sangsad* though sometimes effective to correct government policies; it largely made the status of opposition merely as a *pressure group*.

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List Map and Diagrams

Map 1	: Bangladesh (<i>Jatiya Sangsad</i>) Constituency Map	xvi
Diagram 4.1:	Graphical Presentation of Votes Obtained by the Parties in the Fifth <i>Jatiya Sangsad</i> Elections, 27 February 1991	72
Diagram 4.2:	Graphical Presentation of Votes and Seats Obtained by the Parties in the Fifth <i>Jatiya Sangsad</i> Elections, 27 February 1991	73
Diagram 6.1:	Graphical Presentation of Votes Obtained by the Parties in the Seventh <i>Jatiya Sangsad</i> Elections, 12 June 1996	119
Diagram 6.2:	Graphical Presentation of Votes and Seats Obtained by the Parties in the Seventh <i>Jatiya Sangsad</i> Elections, 12 June 1996	120
Diagram 7.1:	Graphical Presentation of Votes Obtained by the Parties in the Eighth <i>Jatiya Sangsad</i> Elections, 1 October 2001	156
Diagram 7.2:	Graphical Presentation of Votes and Seats Obtained by the Parties in the Eighth <i>Jatiya Sangsad</i> Elections, 1 October 2001	157

List of Tables

Table 4.1	Results of the Fifth <i>Jatiya Sangsad</i> Elections, 27 February 1991	71
Table 4.2	List of Working Days in the Fifth <i>Jatiya Sangsad</i> and Opposition Participation	75
Table 4.3	List of Adjournment Motions in the Fifth <i>Jatiya Sangsad</i> and Opposition Participation	80
Table 4.4	List of Calling Attention to Matters of Urgent Public Importance in the Fifth <i>Jatiya Sangsad</i> and Opposition Participation	82
Table 4.5	Discussion on Matters of Urgent Public Importance for Short Duration in the Fifth <i>Jatiya Sangsad</i> and Opposition Participation	83
Table 4.6	List of Special Privileges Motions in the Fifth <i>Jatiya Sangsad</i> and Opposition Participation	85
Table 4.7	Broad Grouping of Standing Committees in the Fifth <i>Jatiya Sangsad</i> and Opposition Participation	86
Table 4.8	List of Walkouts by the Opposition MPs in the Fifth <i>Jatiya Sangsad</i>	87
Table 4.9	List of Boycotts by the Opposition MPs in the Fifth <i>Jatiya Sangsad</i>	89
Table 6.1	Results of the Seventh <i>Jatiya Sangsad</i> Elections, 12 June 1996	118
Table 6.2	List of Working Days in the Seventh <i>Jatiya Sangsad</i> and Opposition Participation	124
Table 6.3	List of Adjournment Motions in the Seventh <i>Jatiya Sangsad</i> and Opposition Participation	125

Table 6.4	List of Calling Attention to Matters of Urgent Public Importance in the Seventh <i>Jatiya Sangsad</i> and Opposition Participation	127
Table 6.5	Discussion on Matters of Urgent Public Importance for Short Duration in the Seventh <i>Jatiya Sangsad</i> and Opposition Participation	129
Table 6.6	List of Special Privileges Motions in the Seventh <i>Jatiya Sangsad</i> and Opposition Participation	131
Table 6.7	Broad Grouping of Standing Committees in the Seventh <i>Jatiya Sangsad</i> and Opposition Participation	133
Table 6.8	List of Walkouts by the Opposition MPs in the Seventh <i>Jatiya Sangsad</i>	134
Table 6.9	List of Boycotts by the Opposition MPs in the Seventh <i>Jatiya Sangsad</i>	135
Table 7.1	Results of the Eighth <i>Jatiya Sangsad</i> Elections, 1 October 2001	153
Table 7.2	List of Working Days in the Eighth <i>Jatiya Sangsad</i> and Opposition Participation	159
Table 7.3	List of Calling Attention to Matters of Urgent Public Importance in the Eighth <i>Jatiya Sangsad</i> and Opposition Participation	161
Table 7.4	Discussion on Matters of Urgent Public Importance for Short Duration in the Eighth <i>Jatiya Sangsad</i> and Opposition Participation	163
Table 7.5	List of Special Privileges Motions in the Eighth <i>Jatiya Sangsad</i> and Opposition Participation	164
Table 7.6	Broad Grouping of Standing Committees in the Eighth <i>Jatiya Sangsad</i> and Opposition Participation	165
Table 7.7	List of Walkouts by the Opposition MPs in the Eighth <i>Jatiya Sangsad</i>	167

Table 7.8	List of Boycotts by the Opposition MPs in the Eighth <i>Jatiya Sangsad</i>	168
Table 8.1	Educational Background of the Members in the Fifth <i>Jatiya Sangsad</i>	185
Table 8.2	Organizational Affiliations of the Members in the Fifth <i>Jatiya Sangsad</i>	186
Table 8.3	Foreign Education of the Members in the Fifth <i>Jatiya Sangsad</i>	188
Table 8.4	Educational Background of the Members in the Seventh <i>Jatiya Sangsad</i>	189
Table 8.5	Professional Affiliations of the Members in the Seventh <i>Jatiya Sangsad</i>	190
Table 8.6	Educational Background of the Members in the Eighth <i>Jatiya Sangsad</i>	192
Table 8.7	Professional Affiliations of the Members in the Eighth <i>Jatiya Sangsad</i>	193

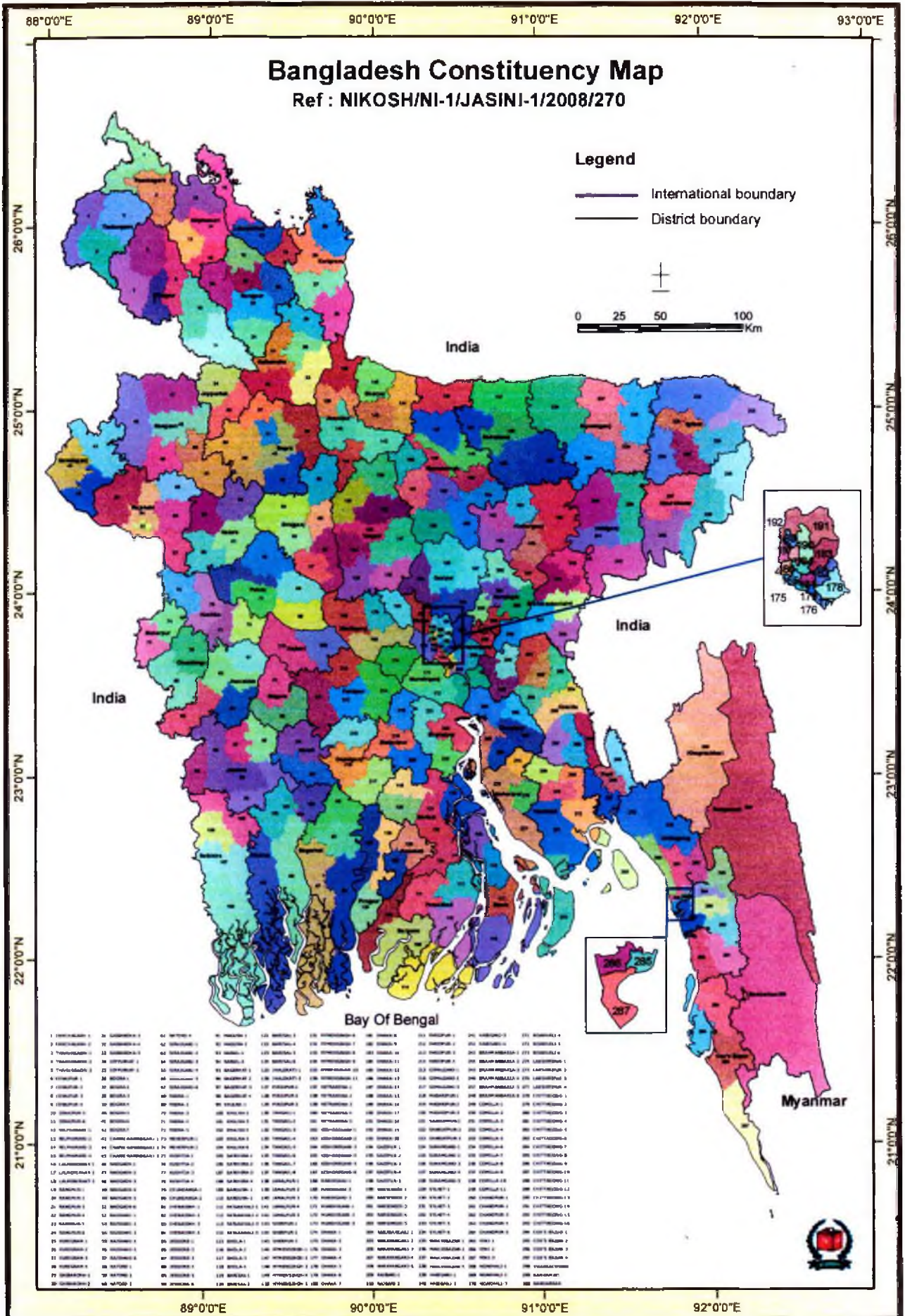
List of abbreviations

AIML	All India Muslim League
AL	Bangladesh Awami League
ALCWC	Awami League Central Working Committee
ALPP	Awami League Parliamentary Party
AM	Adjournment Motions
AML	Awami Muslim League
APO	Assistant Presiding Officer
APSU	All-Party Students Union
ARO	Assistant Returning Officer
BAC	Business Advisory Committee
BAKSAL	Bangladesh Krisak Sramik Awami League
BBS	Bangladesh Bureau of Statistics
BEC	Bangladesh Election Commission
BNP	Bangladesh Nationalist Party
BNPPP	Bangladesh Nationalist Party Parliamentary Party
BSF	Border Security Force
CA	Chief Adviser
C&AG	Comptroller and Auditor-General
CEC	Chief Election Commissioner
CJ	Chief Justice
CMLA	Chief Martial Law Administrator
COC	Code of Conduct
CPA	Commonwealth Parliamentary Association
CPB	Communist Party of Bangladesh
COP	Combined Opposition Party
DC	Deputy Commissioner
DCMLA	Deputy Chief Martial Law Administrator
EEC	Electoral Enquiry Committee

EP	East Pakistan
EU-EOMB	European Union's Election Observer Mission in Bangladesh
FEMA	Fair Election Monitoring Alliance
GP	Ganatantri Party
HCD	High Court Division
IOJ	Islami Oikya Jote
IND	Independent
IPS	Institute of Parliamentary Studies
IPU	Inter Parliamentary Union
JI	Jamat-i-Islami
JIPP	Jamat-i-Islami Parliamentary Party
JP	Jatiya Party
JPPP	Jatiya Party Parliamentary Party
JS	Jatiya Sangsad (Name of Bangladesh Parliament)
JSD	Jatiya Samajtantrik Dal
KPP	Krishak Praja Party
KSP	Krishak Sramik Party
KSJL	Krisak Sramik Janata League
LCB	Legislative Council of Bengal
LFO	Legal Framework Order
MC	Ministerial Committee
MCA	Member of Constituent Assembly
ML	Muslim League
MNA	Member of National Assembly
MP	Member of Parliament
MPA	Member of Provincial Assembly
MSS	Manabik Sahajya Sangstha
NAP (B)	National Awami Party (Bhasani)
NAP (M)	National Awami Party (Muzaffar)
NCG	Non-party Caretaker Government

NDI	National Democratic Institute
NDP	National Democratic Party
OIC	Organization of Islamic Conference
PAC	Public Accounts Committee
PM	Prime Minister
PMQT	Prime Minister's Question Time
PO	Presiding Officer
PPR	Political Parties Regulation
PSA	Public Safety Act
RAB	Rapid Action Battalion
RO	Returning Officer
ROP	Rules of Procedures
RPO	Representation of People's Order
SAARC	South Asian Association for Regional Cooperation
SCA	Students' Committee of Action
SC	Supreme Court
SCF	Schedule Caste Federation
SKOP	Sramik Karmachary Oikya Parishad
SJC	Supreme Judicial Council
SPA	Special Power Act
SRG	Study and Research Group
UF	United Front
UK	United Kingdom
UNO	Upazila Nirbahi Officer
USA	United States of America
VDP	Village Defence Party
VGf	Vulnerable Group Feeding
WP	Worker's Party

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Chapter 1: Introduction

Introduction

This research investigates the role of opposition inside and outside the *Jatiya Sangsad* of Bangladesh during 1991-2006. In democratic system of governance, the most important role of opposition is ensuring accountability and transparency of the government. Since the re-introduction of parliamentary democracy in Bangladesh in 1991, noticeable achievement has been the rise of strong opposition in the *Jatiya Sangsad* (JS). Although the emergence of strong opposition in the JS; due to some internal and external reasons the role of opposition has remained largely ineffective. Internal reasons for poor performance of opposition inside the JS stem from structural weaknesses of the JS. The achilles heel of the Rules of Procedure and the lack of adequate power of the Parliamentary Standing Committees relatively favour the position of the ruling party in the JS. External reasons include: mistrust between the ruling and opposition parties, intention of the ruling party to suppress the opposition, neglect the supremacy of the parliament, persistence of mutual intolerance between the ruling and the opposition parties etc. These internal and external factors have largely handicapped the effective role of opposition inside the JS. Since 1991, the opposition has a common tendency to refuse the verdict of the people reflected in the general elections; although national as well as international observers recognized these elections as free, fair and neutral. The opposition is more interested to discuss the issues of national importance outside the JS rather than the use of common parliamentary *modus operandi* in the House. The opposition arranged alternative programmes e. g. *hartals*, demonstrations, strikes, blockade, forming human chain and in extreme cases non-cooperation movement against the government. Therefore, democratization has not lived up to peoples expectations. Army-backed Non-party Caretaker Government in 2007 is a vivid example to illustrate the failure. The prior factor of this army-backed Non-party Caretaker Government was the lack of understanding between the two main parties: Bangladesh Nationalist Party (BNP) and Bangladesh Awami League (AL).

Genesis of the Representative Government and Rise of Opposition in Bangladesh: Colonial Period

The genesis of parliamentary form of government in Bangladesh goes back to the colonial period. Bangladesh was a part of the British-Indian province of Bengal and had remained under the domination of the British for a considerably long period (1757-1947) and had been influenced by the British traditions. It was also remained under the Pakistani ‘internal colonial’¹ rule for nearly a quarter of century (1947-1971). Bangladesh had become familiar with representative politics during the British colonial rule. So any discussion about the background of the opposition politics in Bangladesh goes back to the British colonial regime in India and subsequently the former United Pakistan government.

The Legislative Council of Bengal was established in 1861, more than a century after the British first colonized India in 1757. However, for nearly six decades after its inauguration, the Council lacked any representative character. The Governor, head of the executive government in the province, presided over the sittings of the Council and decided the nature of issues to be discussed. He was responsible only to the Governor-General and through him to the British government.² The Indian National Congress was founded in 1885 as an umbrella organization unifying all the anti-British and nationalist elements. Between 1885 and 1907, the objective of Congress was to cooperate with the British government and also put mild pressure for greater political representation for the Indians.³ So in the initial years, the Congress was not in a position by performing its role to make the British government accountable.

The creation of new Bengal, through the Partition of Bengal in 1905 as a Muslim majority province contributed to the rise of Muslim middle class intelligentsia in the province. A. K. Fazlul Haque fought against the landlords of Bengal who were mostly Hindus and directed the socio-economic, political

and administrative life of the region. The Muslim League was born in 1906 to protect the rights and interests of Muslims in India.

The Government of India Act of 1919 provided for a unicameral parliament to be composed of 140 members, of whom 114 were to be elected and the rest 26 were officials and non-officials nominated by the government. The Act also provided for the introduction of diarchy. According to this the provincial subjects were divided into two categories: reserved and transferred. Under the Act, the Council was elected for a three-year term. But the Governor could dissolve it before the completion of its tenure. He could also extend the term of the Council in exceptional circumstances. The Act of 1919 also provided for election of the President of the Council by its members. Members were given the rights to ask questions and to move bills, resolutions and adjournment motions. The Council could legislate both on the transferred and reserved subjects. The governor could, however, refuse to assent to a bill passed by the Council.⁴ He was, however, required to summon the Council at least once a year.

The Congress and the Muslim League, the two main political parties boycotted the first election to the Council held in 1920. The Congress called for non-cooperation movements against the British and the Muslims launched the *Khilafat* movement. In the context of boycott by the Congress and Muslim League, the first election to the Council did not lead to the rise of much public or political interest. The majority of members elected to the first Council were independents.⁵

A faction of the congress called *swarajists* (demanding home rule) and the Muslim League decided to contest the second election held in 1923. As a consequence, the second election was far more competitive than its first counterpart and the number of candidates and voter turn out increased considerably. The *swarajists* won about 40 per cent of the total seats, while the

Muslim League emerged as the second biggest party. The *swarajists* also secured the single largest majority of seats in the third and fourth elections respectively held in 1926 and 1929. But they left the fourth Council in 1930 following the call by Mahatma Gandhi to start a civil disobedience movement to force the British to agree to more fundamental reforms.⁶ By-elections were held in 1930 to the seats vacated by the *swarajists*. The fourth Council survived until 1936, which was much longer than the earlier legislatures.

The Government of India Act of 1935 provided for granting autonomy and responsible government to different Indian Provinces. All provincial subjects were transferred to the control of ministers responsible to the council, renamed Assembly. The tenure of the Assembly was extended to five years and the number of the elected members of the assembly was increased to 250. Some changes in parliamentary procedures were introduced but the discretionary power of the Governor remained almost in tact. He could intervene, veto, legislate on his sole authority and do almost anything he wanted in direct opposition to the popular ministers and provincial legislatures.⁷

During the 1930's the Krishak Praja Party (KPP) of A. K. Fazlul Haque was able to command the popular support of the Bengali Muslims. The KPP was a rural based non-communal organization. Its support came from the middle class, lower middle class and landless peasants.⁸ Election to the Legislative Assembly was held in 1937. The Congress secured the largest number of seats (60); while the Muslim League obtained 40 seats. The KPP won 35 seats and independents captured nearly one-third of the seats. Following the decision of the majority of (Muslim) independents to join the KPP and ML, the two parties formed the first coalition ministry, A. K. Fazlul Huq, the leader of the KPP as Chief Minister. The Huq ministry took several important measures to release political prisoners and to upgrade the status of the poor.⁹ The enlightened middle class Muslim of Bengal with radical views came out as a new force in Indian politics under the leadership of A.K. Fazlul Haque.¹⁰ The decision of the

Congress to boycott the Assembly since the early 1940s to express its resentment against the unilateral decision of the British to involve India in the World War II was a serious blow to its steady growth as a legislature.

Elections to the Bengal Legislative Assembly which were due in the early 1940s, however, could not be held until 1946 because of war. The Muslim League won 114 seats in the Assembly polls held in 1946; while the Congress secured the second position with 82 seats. The Muslim League dominated the Assembly between 1947 and 1954. During this period, it sustained no major defection from its ranks and provided a stable government in the provinces. The opposition members inside the Assembly, who mostly belonged to the Congress could not pose any serious challenges to the ruling Muslim League.¹¹

Mohammad Ali Jinnah put forward 'Two Nation Theory' in 1940 at All India Muslim League Conference that paved the way for creation of Pakistan in August 1947. The basic foundation of the Pakistan state was inherent in Islamic ideology. The Punjabi elites controlled political and commercial life of Pakistan. The Pathan generals who dominated the armed wing of Pakistan maintained a link with the Punjabi elite. The Bengalis found themselves in a status of political and economic inequality. The Bengali representation in both the civil service and the army of Pakistan had always been negligible.¹²

Pakistan Period and Rise of Opposition

On 23 June 1949, Awami Muslim League (AML) was formed with Maulana Abdul Hamid Khan Bhashani as the President, Shamsul Haq as Secretary and Sheikh Muzibur Rahman and Khandakar Mustaq Ahmed as Joint Secretaries. The socio-economic background of the AML leadership indicates that it was rural-based middle class political party.¹³ The Language Movement of 1952 was a cultural movement in its original shape but within a short period of time it turned into a mass political movement. In fact, the Language Movement was a turning point in the history of Bengali nationalism.

Elections to the East Pakistan Provincial Assembly were held in 1954. Awami Muslim League formed an alliance with Ganotantri Party (GP), Nezam-i-Islam (NI) and Krishak Sramik Party (KSP) which subsequently came to be known as United Front.¹⁴ The United Front fought this elections with 21 point programmes and won a landslide victory securing 215 Muslim seats; while the ML won only 9 seats. Twelve independent candidates won the election, of which eight and one subsequently joined the UF and the ML respectively. Among the 72 minority seats, the Scheduled Caste Federation (SCF) won 27 and the Pakistan National Council (PNC) won 24 seats.¹⁵ Bengali Muslims got a chance to grow themselves as a new industrial class in 1956 when Awami League came to power in central government with H. S. Suhrawardy as Prime Minister and Abul Mansur Ahmed as industrial Minister. In 1956, the name of East Bengal was officially changed into East Pakistan. In the same year H. S. Suhrawardy accepted the 'One Unit' Scheme of the central government and pursued a pro-western foreign policy. On this ground Maulana Bhashani left the Awami League and formed the National Awami Party (NAP).¹⁶

During the rule of Ayub Khan (1958-1969), politicians remained seriously disadvantaged *vis-à-vis* other sources of power, especially the military and the bureaucracy. In February 1966 a convention of the opposition party was held at Lahore of West Pakistan. In that convention Awami League leader Sheikh Mujibur Rahman put forward six point demands. The AL articulated the politics of East Pakistan through the six point programmes. In fact, six point programmes was a middle class movement. In spite of its middle class character, the six point movement received tremendous support from all stratum of society as it was seen to provide independent prosperous growth for the Bengalis as a whole within the framework of a United Pakistan.¹⁷

The mass upheaval of 1969 popularized the six point programmes of AL and helped lay down its foundation at the grass root level. People from all walks of life joined the historic movement. The East Pakistan Student Action Committee

was formed with a view to materialize 11 points demand. The 11 points demand of the students was more radical than that of the six point of the Awami League.¹⁸

On 30 March 1970, General Yahya Khan proclaimed Legal Framework Order (LFO) to conduct the general elections. The Awami League under the leadership of Sheikh Mujibur Rahman fought in the general election of 1970 with the six point programmes and won an absolute majority of seats (167) in the National Assembly and secured 288 seats in the East Pakistan Provincial Assembly. Nevertheless, the Awami League did not carry a single West Pakistan constituency. The Pakistan People's Party under the leadership of Zulfikar Ali Bhutto fought in the election and won 83 seats in National Assembly.¹⁹ The election results of the 1970 heralded the death of United Pakistan.

During 23 years rule of United Pakistan, the opposition has not been allowed to perform its appropriate role. The Muslim League leadership was not responsible to the due demands of the East Pakistani leaders from the very beginning of Pakistan state. Pakistan took nine years to frame a constitution which came into effect in 1956. This constitution recognized the federal form of government and autonomy to the provinces. But the provincial autonomy was never recognized and ensured by the military authoritarian regime. During the rule of Ayub Khan, democratic institutions and opposition politics were severely challenged. The constitution of 1962 acknowledged centralization of all authority to the President of Pakistan. General Ayub Khan was highly reluctant to introduce the Western Liberal Democracy or representative democracy; while he was captivated to indirect democracy i.e. Basic Democracy in the United Pakistan. During the Ayub regime institutional constrains and lack of open-mindedness of the ruling elite severely constrained the opposition's performs and effective role inside the parliament, while being outside the parliament the opposition criticized the government and was very

successful to articulate the feelings of the people of East Pakistan. The opposition organized the public opinion against the regime through a series of mass movements which contributed to the results of 1970 general elections and resulting in the failure of Pakistan's national integration which ultimately led to non-cooperation movement and liberation war of East Pakistan in 1971.

It appears from the above discussion that with the evolution of representative assembly, the rise of opposition started gaining strength under the colonial regimes. After 1947, genuine parliamentary democracy barely worked effectively as occasional military take-over thwarted its growth. The Pakistani military Junta further blunted the representative democracy by denying the rights of political participation of Bengalis in the Central Political Structures of Pakistan. In this context, Awami League emerged as the largest opposition challenging the legitimacy of the Central Political Structure.

Opposition in Independent Bangladesh

At midnight on 25 March 1971, the Pakistani military launched an attack on the innocent people of East Pakistan. The Awami League chief *Bangabandhu* Sheikh Mujibur Rahman was arrested and a large number of leaders fled to India. Awami League formed the Government-in-exile i.e. the revolutionary government of Bangladesh that formally took oath on 17 April 1971 at Meherpur in Kustia District.²⁰ Following the nine months of war Bangladesh emerged as an independent state on 16 December 1971.

Bangabandhu Sheikh Mujibur Rahman was released from the Pakistani Jail on 8 January 1972 and returned to Bangladesh on 10 January 1972. On the same day Mujib expressed his intention to begin with a parliamentary form of government. On 11 January 1972 as the President of Republic Sheikh Mujib issued the Provisional Constitution of Bangladesh Order, 1972. By this order the President was made the titular head and the real executive power was vested with the Prime Minister and his cabinet.²¹ The Constituent Assembly of

Bangladesh Order was promulgated on 22 March 1972 as envisaged in the Provisional Constitution of Bangladesh Order, 1972. According to the order the Members of the National Assembly (MNA) and Provincial Assemblies elected in the general elections of 1970 were re-designed as the Members of the Constituent Assembly (MCA) and assigned the task of framing a constitution. A new constitution came into effect within nine months on the eve of the first victory day on 16 December 1972. The constitution recognized the supremacy of the JS regarding the law making functions and provided for making the cabinet collectively responsible to the parliament. All cabinet members including the Prime Minister were to be the members of the JS. Non-MPs, who were included in the cabinet, were to get elected to the JS within six months of their appointment. The President, the head of the state, was required to work in accordance with the advice of the Prime Minister. The constitution provided for a 300 members of unicameral JS who were to be elected from single territorial constituencies by direct election. Another 15 seats were reserved exclusively for women for ten years, who were to be elected by popularly elected MPs. The constitution empowered the JS to frame rules to regulate its own proceedings, which were not subject to approve by any outside body. Nor could their validity be questioned in any court.²² The constitution provided for judicial review of legislative action, thereby imposing some restrictions on the arbitrary exercise of power by JS.

After independence, first *Jatiya Sangsad* election was held in 1973. In this election Awami League won an overwhelming majority of 293 seats and opposition including the independent candidates secured the rest 7 seats. The strength of the opposition was very marginal in the first JS.²³ Without necessary party strength in the House; the opposition was not at all in a position to ensure accountability of the government. The influence of the first JS gradually declined with the assumption of the arbitrary powers by the executive. Intolerant attitude in dealing with the opposition both inside and outside the Parliament contributed to this process.

On 28 December 1974 the President of Bangladesh proclaimed a state of emergency and on 25 January 1975 through the Fourth Amendment to the Constitution, parliamentary form of government was replaced by the presidential system. The amendment also changed the title of real executive from Prime Minister to President who was vested with all the real executive powers and was authorized to form a Council of Ministers and to include in its persons even from outside the parliament. The President was also authorized to declare Bangladesh a one party state and to suspend the activities of all parties that failed to join the National Party.²⁴

In the mid 1975, *Bangabandhu* Sheikh Mujib announced the formation and structure of the single national party which was named as the Bangladesh Krishak Sramik Awami League (BAKSAL). Leaders of all the defunct parties were asked to join the national party with immediate effect. The BAKSAL set up a 115-Central Committee, but the supreme body of the party was the Executive Committee which was composed of a Chairman and 14 other members. An elaborate party structure was envisioned: provision was made for a Union Council in each union, Thana Committee in each thana and a District Committee in each district. In addition to these, the party had five fronts: peasants, workers, youths, students and women.²⁵

During the Mujib era through passing of the Fourth Amendment to the Constitution and subsequent change made in the state structure, a highly authoritarian government was established and the opposition has not been allowed to exist as a separate institution. The opposition was put down by abolishing political activities and freedom of speech which are the foundation of democracy and democratic system of government. During the 1972-75, the opposition failed to perform its appropriate role because of institutional constraints in the parliamentary practice and the opposition outside the *Jatiya Sangsad* could not contribute to making the government accountable.

A series of coups and counter coups of mid-August to November 1975, Ziaur Rahman was installed as army chief and emerged *de facto* leader of the new regime. Zia regime adopted a measure of allowing limited party activity and the government passed the Political Parties Regulation (PPR) on 30 July 1976 to permit political activities.²⁶ PPR was an important landmark of Zia regime which ensured the political activities in the country since the first military order in the mid-August of 1975. More than one hundred political parties were operated after promulgation of PPR.

The opposition parties began to assemble themselves before the Presidential election of 3 June 1978. The opposition forces representing the diverse groups formed the *Ganatantrik Oikko Jote* and nominated Janata Party chief General (Retd.) M. A. G. Osmani as their President candidate against General Ziaur Rahman.²⁷ Because of the persistence of martial law and restrictions, the opposition could not maintain mass contact throughout the country. The opposition also failed to reply the regime's anti-opposition propaganda.

The second *Jatiya Sangsad* election was held on 18 February 1979 and Awami League emerged as the major opposition party in the parliament. After the election the main opposition Awami League and the other opposition parties made specific charges of malpractice, use of violence, coercive measures and unlawful involvement of government machineries and harassment of opposition workers against the party in power.²⁸ It is noteworthy that, both the Presidential and *Jatiya Sangsad* elections of Zia regime were held under the martial law. Prevailing martial law regulations and restrictions it was difficult for the opposition parties to prepare for the election. The opposition was not given enough time and freedom for effective campaign. In the first session of April 1979, the opposition raised its protests against the passing of the controversial Fifth Amendment to the Constitution which validated all the martial law regulations, orders and proclamations made since the 15th August coup of 1975. The opposition members belonging to the AL walked out from

the House and other opposition members abstained from voting on the issue. However, during the Zia regime the opposition was not allowed to perform its appropriate and effective role. Thus, the opposition could not perform its effective role due to lack of willingness of the ruling party to allow the opposition to act upon.

General Ershad formally captured the state power on 24 March 1982 and he himself made President of the republic on 11 December 1983. At the same time he also retained the position of Chief Martial Law Administrator. The third *Jatiya Sangsad* election was held in 1986 under the martial law. In the third JS election, Awami League became the major opposition party. But BNP-backed alliance boycotted the election. The main opposition Awami League boycotted the inaugural session in protest against the sitting of the JS with existing martial law in the country. The second session of the third JS continued without the presence of the main parliamentary opposition. The third and final session of the third JS, the opposition duly participated in the parliamentary devices.²⁹ Through the third JS the opposition failed to ensure the accountability of the government and launched street movement against the Ershad regime.

Ershad's rule faced a serious challenge by the opposition from November 1987. The major opposition parties boycotted the fourth *Jatiya Sangsad* election of 3 March 1988. In the fourth JS, the Combined Opposition Party (consisting of 76 insignificant organizations) which the critics termed as 'Loyal Opposition' of the Ershad government won only 19 seats. The fourth JS lacked legitimacy in the eyes of the people and the mainstream opposition.³⁰ The fourth JS election actually further deepened the legitimacy crisis of Ershad government. Through unprecedented electoral malpractice Ershad destroyed the electoral process in the country.

The anti-Ershad movement reached its peak in 1990 when 22 student organizations formed the All Party Students Unity. Moreover, the Joint

Declaration of the Three Alliances on 19 November 1990 formed a common platform. The main features of the Joint Declaration included the following:

“(a) The three alliances would not take part in any election held under the illegitimate Ershad government. They would not only boycott such election but also would resist all elections under Ershad. They would participate only in an election to a sovereign parliament and only when such an election is held under a non-partisan, neutral government; (b) With a view to establishing democracy Ershad and his government would have to resign. Before resigning Ershad would appoint a person Vice-President who would be acceptable to the three alliances and Ershad must hand over power to this Vice-President; (c) An interim caretaker government would be formed under that Vice-President and its responsibility would be to ensure holding of a free and fair election to a sovereign parliament within three months; and (d) The interim government would hand over power to a sovereign parliament elected through free and fair election.”³¹

The democratic institutions and opposition politics severely challenged during the eight years and nine months autocratic rule of General Ershad. Lack of willingness of the autocratic regime, the opposition has not been allowed to function properly inside the JS. The opposition arranged alternative programmes outside the JS such as conduct rallies, demonstration, calling strike, *hartals* and non-cooperation movement against the autocratic regime. An intensive anti-autocratic movement led by the opposition alliance transformed it into a mass movement involving majority sections of the people. As per the demand of the three alliances, Ershad resigned on 6 December 1990 and handed over power to a nominee of the combined opposition alliances, the Chief Justice of the Supreme Court, Justice Shahabuddin Ahmed.

In order to evaluate the role of opposition inside and outside the JS in the fifth, seventh and eighth parliaments, a number of key questions are raised. These will be addressed in the subsequent chapters. The questions are:

What has been the role of the opposition after the re-introduction of parliamentary democracy in Bangladesh?

What type of role does the opposition play inside the *Jatiya Sangsad*?

What type of role does the opposition play outside the *Jatiya Sangsad*?

How has the ruling party contributed to the effective performance of the opposition in the *Jatiya Sangsad*?

How has the democratic institutions of the country supported the opposition to perform its appropriate role?

How has the major opposition created public opinion regarding the issues of national importance inside and outside the *Jatiya Sangsad*?

How far has the opposition been able to uphold the effectiveness of parliamentary democracy in the country?

Importance of the Study:

The role of opposition in democracy as an alternative or 'shadow' government has already been mentioned earlier. In practice, there has always been a gap between the ideal and the real world. The nature of this gap has a unique context, varies from country to country, from culture to culture. Idealized role of the opposition in democracy depends on the historical development of democratization in a particular country. Therefore, there is no universal pattern of the role of opposition. From this perspective, the study on the role of opposition always merits attention of the scholars. In Bangladesh, the role of opposition draws keen attention as the country is on the road towards democratization.

Beneficiaries of the Study

Every research is aimed to satisfy its beneficiaries. This study will contribute to the social science scholarship. It will add new knowledge to the existing literature. Politicians as well as policy makers of the new generation will get insights from this study about the role of opposition in the democratic politics of Bangladesh.

Literature Review

The main objective behind the literature review is to avoid duplication of previous research works. On the other hand, knowledge of previous research work in the related areas of the study helps in developing ideas of interests and enhancing the researcher's knowledge. In carrying out this study, the works of other scholars have also provided the insights and background. Some relevant works on the topic are as follows: Hasanuzzaman, Al Masud, 1998; Rama Rani Haider, 2005; and Sonia Halim, 2006.

Hasanuzzaman, Al Masud in his book *Role of Opposition in Bangladesh Politics*,³² narrated the role of opposition in Bangladesh during 1972-1995. The author has followed descriptive as well as analytical methods and used both the secondary and primary data in his study. He has collected primary data through interviews and discussions with the prominent politicians both from the government and major opposition political parties. The author analyzed the role of opposition when the country was under parliamentary, presidential and autocratic rules of the military for more than two decades, from 1972 to 1990. During this period, though constrained by various restrictions, opposition activities including participating in major elections as well as legislatures influenced the politics of the country.

In the first parliament, there was a small opposition representation with no official recognition. Through the Fourth Amendment to the Constitution and

subsequent changes made in the state structure, a highly authoritarian government was established in the country and the opposition has not been allowed to exist as a separate institution. The opposition was contained by abolishing political activities and freedom of speech which laid the foundation of democracy and democratic government.

Zia regime adopted the Political Parties Regulation (PPR) in 1976 to permit limited political activities. Prevailing martial law regulations and restrictions, it was difficult for the opposition to maintain mass contact and effective campaign throughout the country on the eve of Presidential election of 1978 and second JS elections of 1979. The number of opposition parliamentarians increased considerably in the second JS with their formal status in the House. After the general elections, the main opposition Awami League and other opposition parties made specific charges of malpractice, use of violence, coercive measures and unlawful involvement of government machineries and harassment of opposition workers against the party in power. It is noteworthy that, both the presidential and parliamentary elections of Zia regime were held under the martial law.

Though the third JS elections were held in 1986 under the martial law, the number of opposition parliamentarians increased considerably with their formal status in the House. In the third JS elections, Awami League became the major opposition party, while BNP-led alliance boycotted the elections. The major opposition parties boycotted the fourth JS elections that were held on 3 March 1988. The fourth JS was lacking of legitimacy in the eyes of the people and the mainstream opposition and this election actually further deepened the legitimacy crisis of Ershad regime. Hence the opposition arranged alternative program outside the JS and an intensive anti-autocratic movement led by the opposition alliance, transforming it into a mass movement involving majority sections of the people.

The general election of 1991 brought a strong opposition in the parliament culminating in a promising two-party system under the re-introduced parliamentary set up. But lack of mutual intolerance between the main parties AL and BNP led to play unconstitutional roles creating political crisis and confusion. Opposition's prolonged agitational movement for non-party caretaker government and its constitutional basis ultimately paved the way for restoring democratic process in the country.

After the re-introduction of parliamentary democracy in 1991; the fifth, seventh and eighth JS have produced strong opposition in the JS. The author discussed the role of opposition under the parliamentary, authoritarian and military regimes. He neither discussed the role of opposition in the seventh and eighth JS nor made a comparative discussion among the fifth, seventh and eighth JS. As a result, Hasanuzzaman's study lacks scientific basis. It is worth doing the research on the topic covering the periods (1991-2006).

Rama Rani Halder in her unpublished M. Phil. thesis *Role of Awami League as an Opposition Party (1991-96)*,³³ identified the role of opposition in democracy especially in the fifth JS during 1991-1996. She used both secondary and primary data in her thesis. In arguing about the effectiveness of the parliament, she stressed upon cooperation and consensus between the party in power and the opposition. She discussed the background of the fifth JS elections and formation of the BNP government. She also discussed about the parliamentary sessions of the fifth JS. Initially the ruling party and opposition performed a historical role to build up institutional basis of the parliamentary democracy. But since the fourteenth session the opposition boycotted from the parliament and did not appear to the parliament till the last session. The long absence of the major opposition from the parliamentary session left the legacy of the status of one party dominant parliament.

The author emphasised the formation of government and socio-economic challenges of the government rather than the role of opposition in the fifth JS. As she chose only fifth JS, so the comparative discussion was not possible due to obvious reasons. She did not discuss the role of opposition outside the JS. Rama Rani's study is a single case study focusing on the fifth *Jatiya Sangsad*. Her study lacks of comparative analysis.

Sonia Halim in her unpublished M. Phil. thesis *The Role of Opposition in the Parliamentary Democracy: Bangladesh Perspectives (1991-2001)*,³⁴ made an attempt to identify the role and effectiveness of opposition in the fifth and seventh JS, by pursuing an analytical method in her study. As research materials, document analysis was selected and questionnaire was prepared for survey of opinion. In her research, she attempted to answer the question: how far had the government been able to facilitate the opposition to perform its appropriate role?

With the government and opposition's joint support, the Twelfth Amendment to the Constitution was passed in the fifth JS which was the basis of the re-introduction of parliamentary democracy. The fifth and seventh JS elections were held under the non-party caretaker government and recognized as free, fair and neutral by the national and international observers. In the fifth JS, the opposition raised no-confidence motion against the government, special parliamentary committee was formed against a Minister and membership of three MPs was dismissed on the complaint of floor crossing.

The frustrating feature of the fifth and seventh JS was that legislature without the opposition. In the fifth JS, the opposition was absent from 135 working days and in the seventh JS was absent from 163 working days. Another noteworthy feature of the fifth and seventh JS was that the opposition members of parliament boycotted the remarkable number of parliamentary sessions. Sonia Halim neither discussed the role of opposition outside the fifth and

seventh JS nor made a comparison of the role of opposition between the fifth and seventh JS since the re-introduction of parliamentary democracy in Bangladesh in 1991.

Various articles covering opposition politics are also found in reputed scholars writings namely Rashiduzzaman, M., *Changing Political Pattern in Bangladesh: Internal Constrains and External Fears*, Asian Survey, Vol. 17, No. 9, September 1977; Haque Azizul, *Politics in Bangladesh: Conflicts and Confusion*, Regional Studies, 3:2, Spring 1985; Huque and Akhter, *Militarization and Opposition In Bangladesh: Parliamentary Approval and Public Reaction*, Journal of Commonwealth and Comparative Politics, 27:2, July 1989; Ahmed Nizam Uddin, *Parliamentary Politics In Bangladesh*, The Journal of Commonwealth and Comparative Politics, Vol. XXXII, No. 3 November 1994; Hasanuzzaman Al Masud, *Parliamentary Committee system in Bangladesh*, Regional Studies, Vol. XIII, No. 1, Winter 1994-95; Jahan Rounaq, *Bangladesh in 2003: Vibrant Democracy or Destructive Politics?* Asian Survey, Vol.76, No.1, Spring 2003.

Having reviewed the literature, we conclude that no study has covered the role of opposition both inside and outside the parliament. These studies even did not touch upon the periods of democratization beginning from 1991 till 2006. This study will fill up this gap.

Objectives of the Study:

In view of the above, the aims of this research are set to analyze and assess the functions and role of opposition political parties in the *Jatiya Sangsad* since 1991. The main objectives of the study are as follows:

1. To examine and analyze the mode of action and the role of opposition in the *Jatiya Sangsad* since the re-introduction of parliamentary democracy in 1991 on the basis of consensus.

2. To identify the scope and examine the role of opposition parties in order to institutionalize democracy in Bangladesh.
3. To focus on changes and continuity of relationships between the opposition and the ruling party or parties in Bangladesh.
4. To discuss the effectiveness of parliamentary democracy in Bangladesh.
5. To discuss about the formation of public opinion regarding the issues of national importance inside and outside the *Jatiya Sangsad*.
6. To explore appropriate policies regarding the role of opposition parties in order to invigorate good governance in Bangladesh.

Investigating the above queries this study concentrated on the functions and role of major opposition parties which were represented in the fifth, seventh and eighth *Jatiya Sangsad* of Bangladesh.

Periodization

To assess the functions and role of the major opposition parties in the *Jatiya Sangsad* during the periods of 1991-2006, constitutes the main theme of this thesis. The periods under study are of special importance. Democracy beginning from 1991 has made remarkable progress despite minor setbacks. One of the notable progress during this period has been the rise of strong opposition in the parliament which had been almost absent during 1972-75, when the first parliamentary government was in place. Successful transfer of power took place through elections held in 1991, 1996 and 2001. With the onset of democratization, the rise of strong media is held the government in check. Its power is increasingly gaining momentum. There has been a widespread consensus evident amongst the political elites against the military interventions in politics. For all these reasons, the periods I have chosen in the study is worthy of consideration.

Hypothesis

This work is designed to examine the role of opposition in democratic politics with a special reference to Bangladesh *Jatiya Sangsad* during 1991-2006. The present study makes an attempt to test the following hypothesis:

Hypothesis 1

The role of opposition in parliamentary democracy of Bangladesh has remained largely ineffective in the *Jatiya Sangsad* partly due to ruling party's reluctance to allow them to work, partly motivated by the partisan interest.

Hypothesis 2

Reasonable performance of the opposition in the *Jatiya Sangsad* primarily depends on the willingness of the ruling party/parties to allow the opposition to act upon.

Hypothesis 3

The opposition fails to perform its appropriate role because of institutional constraints in the parliamentary practice.

Hypothesis 4

By creating public opinion outside the *Jatiya Sangsad* the opposition on the one hand contributed to making the government accountable; it also undermined the quality of decision making in the parliament, on the other.

Methodology

In my thesis I have followed the Case Study method. The proposed research is descriptive as well as analytical and evaluative. In order to collect necessary information, this study depended on both primary and secondary data. Secondary data include different published books of reputed political and social

scientists; articles published in different books, journals, daily, weekly, fortnightly and monthly newspapers and news magazines published at home and abroad; different unpublished research works; publications and printed materials of different political parties; various research and study reports; reports of the various parliamentary committees and other Government and non-government documents. Primary data include survey, proceedings of the *Jatiya Sangsad*; report published by Bangladesh Bureau of Statistics (BBS), Bangladesh Election Commission (BEC), Parliament Secretariat; information gathered from conversation and interviews with the prominent politicians both from the government and major opposition political parties during 1991-2006 and observation of the researcher regarding parliamentary functions of the major opposition parties and their activities inside and outside the *Jatiya Sangsad*.

Limitations of the Study

All out efforts have been employed to make the study scientific. However, due to unavoidable reasons, this study has suffered from certain limitations. Mere often interviews had to cut short as the respondents were heavily preoccupied with their personal schedule. This study has been conducted on the basis of political elite's views and perceptions based on assumption that elites can deliberately create developments in politics. In order to fill the gap of the people's perception, I have tried to make the best use of secondary sources. I believe that by witnessing the plenary sessions in the parliament as a participant observer could have strengthened the research. It was not possible as I started the research after a decade of the functions of the parliament. However, I have tried to address all the nitty gritty aspects of parliamentary practices using parliamentary proceedings and other related documents. Finally, I have tried to remain objective in the analysis. If subjectivity is found, this error is unintended.

Structure of the Thesis

This thesis has altogether nine chapters.

Chapter 1 begins with an introduction of the thesis, further dealing with the historical background of the opposition politics in Bangladesh, importance of the study, literature review, objectives of the study and periodization. It also describes hypothesis, methodology and limitations of the study.

Chapter 2 attempts to search for a suitable theoretical framework for the present study. In framing the theoretical frameworks, it has used different concepts with clear precision.

Chapter 3 deals with the discussion on the significance of the opposition in democratic politics, comparison between the opposition in the developed and in the developing countries and the opposition in the post-liberation Bangladesh.

Chapter 4 examines the role of opposition both inside and outside the fifth *Jatiya Sangsad*. It also discusses the background of the fifth *Jatiya Sangsad* elections and re-introduction of the parliamentary democracy in Bangladesh according to the Twelfth Amendment to the Constitution.

Chapter 5 discusses the role and contribution of opposition in formalizing Non-party Caretaker Government (NCG) in Bangladesh.

Chapter 6 illustrates the contribution of the constitutional Non-party Caretaker Government to hold free, fair and impartial elections of the seventh *Jatiya Sangsad*. The chapter describes the role of opposition both inside and outside the seventh *Jatiya Sangsad*.

Chapter 7 describes the initiatives of the Non-party Caretaker Government to hold free, fair and neutral elections of the eighth *Jatiya Sangsad*. This chapter discusses the role of opposition inside and outside the eighth *Jatiya Sangsad*.

Chapter 8 delineate the socio-economic background of the members in the fifth, seventh and eighth *Jatiya Sangsad*.

The findings of the research is presented in the final chapter (Chapter 9) followed by a conclusion.

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Chapter 2: Theoretical Framework

Theoretical Framework

The present chapter delineates a theoretical framework for the present study. It may be mentioned that a theoretical framework is an idea about how the facts are related. It is a device for pulling together the isolated facts into some intellectual order to form a theory.

Concept of Democracy

The literal meaning of the original Greek word 'Democracy' is 'rule by the people'. In the writings of all Greek scholars including Plato, Aristotle and Thucydides, democracy was depicted as government by the ignorant or government by the poor. However, modern meaning of democracy differs from that of the meaning prevailing during the ancient Greek period. It is in this sense that the ideal of today's democracy is not at all the same as of the Greeks. Famous politician of Athens Pericles defined 'administration by many' is a democracy. Aristotle defined democracy that allows every citizen to 'share'. Abraham Lincoln in his famous Gettysburg speech of 19 November 1863 defined democracy "the government of the people, by the people, for the people, shall not perish from the earth".¹

Different author's defined 'democracy' in different ways. Some called it as 'government by consent', some as 'sovereignty of the people' some termed it 'rule by the majority' and some also called it 'limited government'. Hallowell (1965) has termed democracy as 'the art of compromise'. In almost the same word Robert A. Dahl mentioned that democracy 'rests upon compromise'. Seeley defined, "Democracy is a government in which everybody has a share".² Bryce regarded "Democracy is that form of government in which the ruling power of a state is legally vested, not in any particular class or classes but in the members of the community as a whole".³ According to Gettell, "Democracy is that form of government in which the mass of the population

possesses the right to share in the exercise of sovereign power”.⁴ However, it would be relevant to consider that both elections and institutions are needed for democracy. A good definition is: democracy is a form of government in which the government is accountable to the people and to ensure these accountabilities both the ruling and the opposition parties have a significant role in the parliament.

The ruling and opposition party/parties together constitute the *Jatiya Sangsad* (Parliament). Though both the government and opposition generally function as contending blocs, yet there is a tacit agreement that the majority is to govern and the opposition is to criticize. Under the parliamentary practice, the majority concedes to the minority, freedom of expression, association and movement allows the majority to implement its program. This is natural and constitutional relation between the government and opposition in Bangladesh.

In the *Jatiya Sangsad*, there are various committees which consisted of members of both sides of the House. Normally its reports are unanimously adopted by the House, but whenever the opposition is not satisfied with some of the reports; controversial matters are discussed in the House. There are cooperation and consultation at the time of deciding major questions, such as giving priority to a bill, extension of time, change in time of sittings, distribution of time into various stages of bills and extension or reduction of time of a parliamentary session.

Defining Opposition

The word opposition is derived from the Latin word ‘oppositio’ which means to oppose. In ancient Greece and Rome where a limited form of democratic system prevailed, we find many indications of the working of a separate organized opposition. The idea of a parliamentary opposition emerged in Britain during the centuries following 1688. The Phrase ‘Her Majesty’s Loyal Opposition’ in the modern form was first used early in the nineteenth century.

With the development of political parties, the opposition has been transformed into a distinct entity. According to Ivor Jennings, “The opposition is at once the alternative Government and a focus for the discontent of the people. Its functions are almost as important as that of the Government. If there is no opposition, there is no democracy”.⁵

A.D. Lindsay noted that good representative system necessitates a strong opposition and that opposition should be a substitute for the government.⁶ C. J. Friedrich referred opposition which exists both on personal and impersonal sides. Opposition on the personal side, according to him, is carried forward by individuals who consider themselves as an integral component of the general constituency and look forward to forming the government by converting them to majority from minority. Opposition on the impersonal side, he said, relates his beliefs, values and interests with those of the majority citizens. In both these cases opposition becomes dynamic and in achieving its prime objective of going to power, exploits all the avenues of propaganda and persuasion.⁷

Earnest Barker regarded opposition as a ‘safety valve’ of the political system and viewed that opposition can not be utterly negative, entirely critical or totally obstructive since, in democracy, the function it performs is fundamentally positive: it strengthens the process with a ready provision for a consistent body of alternative leadership adequately prepared to offer an alternative guidance as soon as it is required.⁸

According to K. C. Wheare, the prime part of discharging the great duty of making the government behaves proper falls on the opposition. He said the fact that in parliamentary democracies it is the official opposition that does the job of criticizing and examining the governmental proposals through the questions to the minister in the legislature, motion of censure, motion of no confidence, debates leading to the passing of the bills and approving financial legislation.⁹ Larry diamond opined that democracy by nature is a system of institutionalized

competition for power, without conflict and contention of opposing forces, there can be no democracy.¹⁰ This implies that the most important element of democratic political culture has been the tolerance of opposition and dissent in the political order.

In one-party system, since the opposition is not allowed to exist as a separate institution, it may take the form of a dissident group with minority tendencies and criticize the government at party meeting with varying degrees of freedom. During the fascists Italy, Nazi party in Germany and Soviet Union under the Stalin's regime, all rival parties were destroyed. The opposition was put down by abolishing freedoms of speech, association and elections which are the foundation of democracy.

In a two-party system, the opposition is generally considered as the potential government. There is a definite distinction in the organizational sphere between the government and the opposition. The people choose the programmes and policies between the majority and minority party fairly with full knowledge. The best example of two-party system is the United Kingdom and the United States of America.

In a multi-party system, the opposition comprises heterogeneous groups and these groups often fight against each other. Where no single party secured the majority to form the government, alliances tend to lead the fall of government, tend to resulting in the rise of a new combination which administers the country. The role of opposition in such circumstances is different. It does not act as an alternative government because of its heterogeneous composition.

The opposition is a fundamental part of the legislature which functions mainly on the basis of a parliamentary or cabinet form of government. Political parties are organized on various issues i. e., political, economic, social, religious etc. The election results give authority to a certain party or group of parties to form the government and other party/parties, which represent the minority opinions,

functions as opposition. The opposition tries to win the support of the people by exposing the defects, loopholes and blunders of the government. It is always a ready-made alternative government.

Concept of Democratic Politics

Democratic politics is concerned with people's struggles for participation in decision making from the central to the local government levels. In parliamentary democracy, all political activities are addressed to the parliament. The relation between the executive and legislature is the only way to know a government is parliamentary. In the parliamentary form of government real executive is responsible to the parliament. A parliamentary government is also called responsible government, because the cabinet enjoys the real powers of the government and it is under the control of parliament. According to Garner, "Cabinet government is that system in which the real executive, the cabinet or ministry is immediately and legally responsible to the legislature for its political policies and acts and immediately or ultimately responsible to the electorates; while the titular or nominal executive, the chief of the state occupies a position of irresponsibility."¹¹

The main feature of parliamentary government is the leadership of the Prime Minister over the cabinet. Being the leader of the majority party he is called the leader of the House. The Head of the State appoints ministers on his advice. He presides over the meeting of the cabinet. The ministers are collectively responsible to the parliament; they are also individually responsible for their respective departments. It is essential for the ministers to be the members of the Parliament. All the ministers act like a team in the cabinet and they do not disclose their differences in the public.

It is the duty of the opposition to criticize constructively the policies of the government and to impose a check on the autocratic tendencies of the government. It is the duty of the ruling party to tolerate the criticism of the

opposition and try to remove its shortcomings. The present ruling party may become the opposition party after the next general elections and vice versa. Thus, there should be a spirit of tolerance and cooperation among them.

Soon after the independence, Bangladesh started with a parliamentary democracy followed the Westminster model. The political process of Bangladesh as sovereign political entity “is marked by certain characteristics such: the rise of charismatic and dominant leader; ideological and symbolic approaches to solve the nation’s problems; lack of respect for continuity of fundamental institutions; politics of landslide victory and perversion of electoral process; imbalance in institution building; ground stand approach to do much too quickly and lack of commitment and exodus of politicians.”¹²

The mass upsurge of 1990s brought an end to the long autocratic rule and opened a unique opportunity to start afresh the country’s journey to parliamentary democracy. The achievement of free, fair and neutral general elections under the Non-party Caretaker Government in 1991, 1996 and 2001 paved the way for the growth of parliamentary democracy and democratic politics in the country. Here, I would like to clarify the role of opposition in parliamentary democracy.

Role of the Opposition in Ensuring Accountability

Accountability has been an important issue in democratic system of government. Public accountability is one of the most important challenges before the government which affects the democracy and development. Accountability refers to the answerability for policy, performance, governmental actions and processes as they may affect the rights and interests of the people. Jabbra and Dwivedi noted that, “Accountability is not only the foundation of any governing process but also a check of power and authority exercised by both politicians and administrators.”¹³

In the parliamentary democracy like Bangladesh, there is a constitutional arrangement that both the political and the permanent executives will be accountable to the *Jatiya Sangsad* or parliament for execution of their activities. The parliament makes the ministers directly accountable and the civil servants are in turn accountable to the ministers and thus indirectly to the parliament. The parliament is accountable to the people at large. There is a hierarchy in administration; if the top executive is accountable for his work, then the administration will be accountable to each hierarchical level.¹⁴ The opposition act as a watchdog both inside and outside of the JS to ensuring accountability of the government.

The opposition by its constant scrutiny and criticism of the government policies makes the government accountable. An organized opposition makes the use of various parliamentary methods to compel the government to admit its mistakes and appropriate remedies. The opposition members, therefore, ask questions from ministers regarding their departments and discussions are initiated. Even motion of no confidence are moved against the government using all these means, the arbitrary character of the ruling party is thereby kept in check by the opposition.

The opposition highlights the weakness of the administration and compels the government to make improvement, propose alternative measures differing from the party in power. It ventilates public grievances through various parliamentary methods, such as questions, half-an-hour discussion, discussion on matters of public importance, adjournment motions, etc., and secured discussions particularly on questions that agitate the public mind and tries to press the government to solve them. Sometimes, the opposition may find needless loopholes and use all means to discredit the Treasury Bench.

Although the ruling party and opposition appear as hostile factions, yet there often exists understanding about the fundamentals of democracy and

democratic politics. They work together, especially in the arrangement of business in the House. The government often consults the opposition on major policies. It also incorporates some of the amendments moved by the opposition. The opposition sometimes supports the government proposals and both the government and the opposition conduct themselves so as to catch the voter's attention.

Opposition inside the *Jatiya Sangsad*

The role of opposition inside the JS is quite formal. Through various legislative techniques, opposition tries its best to make the government control. The common parliamentary techniques used by the opposition are as follows:

Questions and Short Notice Question

In the parliamentary system of government, interpretation and asking of questions are greatly useful in gathering information from the ministers exposing faults and serving as an indirect means of criticizing the policies or programs of the government. There are provisions in the parliamentary system to ask supplementary questions if the answer of a question does not satisfy the opposition legislators. Such supplementary questions of course strengthen the position of opposition members as they provide real test the knowledge, competence verbal skill of ministers and are quite effective in bringing possible alteration in administrative behaviour.¹⁵

Prime Minister's Question-answer Session

During the session on each Wednesday at the commencement of the sitting, an extra thirty minutes shall be available for asking question to and answering of the same from the Prime Minister. Provided further that there shall be no Question Hour on the day of budget is presented.

Half-an-Hour Discussion

The Speaker may, on three clear days, notice in writing being given by a member to the Secretary, allot half-an-hour on two sittings only in a week for discussion on a matter of public importance, which has been the subject of a recent question, starred or unstarred, and the answer to which needs elucidation on a matter of fact. Such notice shall briefly specify the point or points intended to be raised by the member and shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question.¹⁶

Motion for Adjournment

Subject to provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of recent and urgent public importance may be made with the consent of the Speaker. Notice of an adjournment motion shall be given in writing and shall be accompanied by a written statement of the matter proposed to be discussed. Such notice shall be delivered in three copies to the Secretary not less than two hours before the commencement of the sitting in which it is proposed to be moved, and the Secretary shall thereupon bring the notice to the knowledge of the Speaker and the Minister concerned.¹⁷

Discussion on Matters of Urgent Public Importance for Short Duration

Any member desirous of raising discussion on matters of urgent public importance may give to the Secretary, not less than two days before the date on which he intends to raise the discussion, notice in writing supported by the signatures of at least five other members and specifying clearly and precisely the matter to be raised: Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question.¹⁸

Debates in the House

There are the essence of parliamentary activity and are effectively used by opposition to express its opinion and views different from that of the party in power. In course of parliamentary transactions through debates, opposition tries to advance its arguments and presses for their acceptance by the House. Constructive debates of the opposition members have some effect on the government and certainly serve to inform the government as to opinion in the legislature.

Calling Attention to Matters of Urgent Public Importance

Subject to the provisions of these rules, any member may, with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date: Provided that no member shall give more than one such notice for any one sitting. Provided further that after a statement made by the Minister, considering the importance of the matters, it may be referred to the Standing Committee of the Ministry concerned by the Speaker for submission of a report on it within 15 days. Not more than three such matters shall be raised at the same sitting.¹⁹

General Discussion of the Budget

On a day to be fixed by the Speaker subsequent to the day on which the Budget is presented and for such time as the Speaker may allot for this purpose, the House shall be at liberty to discuss the budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage nor shall the Budget be submitted to the vote of the House. The Finance Minister shall have a general right of reply at the end of the discussion. The Speaker may, if he thinks fit, prescribe a time-limit for speeches.²⁰

Motion of No-confidence

In the parliamentary system of government the opposition has the right to bring this motion to defy the ruling party. Vote of no-confidence motion can be brought against the whole ministry or against a single minister. If this motion is accepted by the House, the government has to resign. One of the effective mechanisms to maintain governmental accountability is the vote of no-confidence or any threat to use it by the opposition.²¹

Motion of Special Privileges

A member may raise a question involving a breach of privileges either of a member or of the Parliament or of a committee thereof. A member wishing to raise a question of privileges shall give notice in writing to the Secretary two hours before the commencement of the sitting on the day of question is proposed to be raised. Provided that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privileges to be raised at any time during the course of a sitting after the disposal of question.²²

Committee System

The committee system is one of the important innovations in the working of the representative assemblies. The legislators belonging to both the government and opposition are divided into several committees and sub-committees for performing specific function as referred to them by the House from time to time. In order to make their action more meaningful and criticism against the government more effective, legislatures require some independent means through the legislative committees. The members of a Committee shall be appointed by Parliament on a motion made by it. The Chairman of a Committee shall, unless designated by the House, be elected by the committee from amongst the members of that Committee. All questions at any sitting of a Committee shall be determined by a majority of votes of the members present

and voting. A Committee may appoint one or more sub-committees, each having the powers of the undivided committee, to examine any matters that may be referred to them and reports of such sub-Committees shall be deemed to be the reports of the whole Committee.²³

Effective use of Walkouts

Walkouts by the opposition and the independent MPs are one of the important features of parliamentary democracy. Due to lack of agreement regarding various issues in the House of the opposition Members of Parliament walkout from the parliamentary sessions. Effective use of walkout ensures the accountability of the government in the *Jatiya Sangsad*.

Opposition outside the *Jatiya Sangsad*

In order to create pressure upon the ruling party to accept popular demands, the opposition adopts certain strategies outside the *Jatiya Sangsad* are given below:

Criticizing the Government

The opposition criticizes the governmental activities not only inside the *Jatiya Sangsad* but also outside it. The opposition criticizes the government regarding various issues of the public importance i.e. deterioration of law and order, corruption in public life, rise of violence, price hike, short fall in the supply of electricity, gas and water, supply of fertilizer and agricultural equipments, tortures and detention of the opposition leaders and workers. In addition, the opposition gives inputs on various policy issues such as health policy, defense policy, foreign policy and food policy etc. The opposition criticizes the government and suggests appropriate remedies.

Creating Public Opinion

The Opposition educates the public opinion. It enables an average citizen to express his opinion freely and fearlessly. It regularly provides information and knowledge about the issues of national importance and different public affairs to the electorate and makes them capable of debating party decisions. The Opposition, as it places alternative programs before the electorate, helps them to exercise their judgment on vital issues, for in the absence of such programs they would have neither the knowledge of intricate problems involved nor the capacity to understand them.

On the eve of general elections by formulating election manifestoes, the opposition makes vigorous campaign for it and tries to attract the electorates and mobilize the voters to vote its candidates. The opposition also does the best to attract the uncommitted voters who could be convinced by propaganda, programs and personality of the contesting candidates. Since this type of voters often becomes instrumental in determining the victory, the opposition employs all efforts to capture the minds and win over the floating voters.²⁴

In conclusion we may say that the role of opposition in the JS has two dimensions: formal and informal. The formal role includes questions and short notice questions, half-an-hour discussion, motion for adjournment, discussion on matters of urgent public importance for short duration, calling attention to matters of urgent public importance, general discussion on budget, motion of no-confidence, motion of special privileges, committee system and debates in the House etc. These are enunciated in the rules of procedure. Therefore, these activities are pursued inside the parliament by the opposition. In Bangladesh, apart from its ideal role inside the JS, the opposition often boycotts the parliament. In order to create pressure upon the ruling party to accept the popular demands, the opposition adopts certain strategies such as holding press conference, organizing procession, demonstrations, forming human wall,

public rallies, *hartals*, public meeting, calling strike, blockade and in extreme cases total non-cooperation against the government. By this informal *modus operandi*, the opposition tries to create public opinion in support of its alternative programs. Formal and informal roles may be indirectly complementary to each other. But informal role is less effective in influencing the government decision making through the parliament.

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Chapter 3:
**Significance of Opposition in Democratic
Politics: Historical Perspective**

Significance of Opposition in Democratic Politics: Historical Perspective

The present chapter deals with a comparative experiences of the role of opposition in the developed and developing countries. In this section I have selected three important countries which are known as model democracy. The United Kingdom and the United States of America are selected from developed countries, while the case of India is chosen as the political history of Bangladesh has an organic link with its political experience.

Political parties are indispensable for the working of a democratic system of government. They serve as an effective vehicle for articulating public opinion and as the unifying agency, which makes democracy workable. They publish election manifestoes in order to place their performance and policy before the people. After the general election the party with absolute or clear majority forms the government. In case no party gains absolute majority, two or more parties form a coalition government. The parties, which do not join the government, act as an opposition. The ruling party runs the government according to the programmes given in their election manifestoes and the opposition parties criticize its faulty policies and offers alternative programmes and to create public opinion. In a parliamentary democracy the opposition performs more significant and effective role to make the government accountable and responsible.

Pattern or kind of the opposition differs depending on a number of factors like political party system, structure of constitution, socio-economic conditions, electoral system etc. The form of opposition is, therefore, different in parliamentary and presidential systems. In the Parliamentary system, opposition assumes a greater and more concrete role compared to the opposition in presidential democracies. Unlike presidential type where there is no official opposition, the opposition in a parliamentary system has a formal

status with its formation of a shadow cabinet. Here the opposition leader obtains certain privileges with a special rank in the governmental system.¹ The opposition has different position and status in the one-party, two-party and multi-party systems. In one-party system opposition is not allowed to exist as a separate institution. In a two-party system the government and opposition are in a state of equilibrium. In a multi-party system there is absence of a viable opposition and it does not act as an alternative government.

Opposition in the Developed Countries

There have been differences with regard to the evolution, existence, performance and role of the opposition in the politics of developed and developing countries. Democracy has been institutionalized in the developed countries; therefore the opposition can play its appropriate and effective role through the various legislative devices and the opposition thereby ensures accountability and transparency of the government.

Opposition in the U. K. Political System

In Britain transformation of absolute monarchy into the sovereignty of parliament or parliamentary democracy took many years. The Magna Carta of 1215, the Petition of Rights of 1628, the Glorious Revolution of 1688, the Bill of Rights of 1689, the Act of Settlement of 1701, the Reform Act of 1832 etc, contributed to constitutional democracy and ultimate recognition of official opposition in Britain. Dahl noted that in the period between the First Reforms Act which led to the passage of responsible government and the Second Reforms Acts which paved the way for developing disciplined two-party system, it was accepted that neither the government nor the opposition was any more or less the Queen's friends than the other. Due to the absence of simple two-party system, opposition was not the alternative government, unlike now. Through the development of strong, disciplined and organized two-party system, opposition came up as an effective alternative.² Ivor Jennings wrote in

the *Cabinet Government*, that England invented the phrase, 'Her Majesty's Opposition; that it was the first government which made a criticism of administration as much as a part of the policy as administration itself.'³

The leader of the opposition in Britain holds an official position and leads the parliamentary opposition party and formed the shadow cabinet in the parliament. Scholars like S. E. Finer, K. C. Wheare etc. opined that parliamentary system and democratic structures work better in two-party systems and the British system represents a unique example of the working of parliamentary democracy along with the two major parties, one in the government and the other in the opposition.⁴

Opposition in the U.S. Political System

The United States of America is a presidential form of democracy based on the principles of federalism and separation of powers. Although the three major organs of the American government the President, Congress and Judiciary are independent from one another, the whole process works on an elaborate system of checks and balances. The framers of the American Constitution made a delicately balanced machinery of the government and created provisions for elections of a President and Congress at regular intervals but nothing was mentioned about the system of political parties which did not exist before President George Washington's administration (1789-1797). Parties which originated during that administration existed largely in support of or in opposition to its policies.⁵ Over the years their development has been marked by two-party competition led by the Republican and Democratic parties.

American system provides orderly institutional arrangement for the transfer of power. All executive powers are vested in the presidency and the U.S. President is elected as a nominee of a political party. With a two-party system in the USA one party takes the presidency and the other party presents itself as an alternative. Both are united in reverence for the constitution yet there is no

leader of opposition. But in its place, there is plenty of opposition in the Congress to what the government proposes and does. Unlike Britain, Congressman of both parties in the United States is free to vote against the presidential proposals and oppose his actions. Because the fundamental differences with the British system, existence of an official leader of opposition is constitutionally impossible in the United States of America.⁶

Dahl mentioned the following normal patterns of opposition activities in the American political system: opposition goals do not challenge the existing beliefs and institutions; opposition strategies are cleverly employed to win the presidential and legislative elections and bargain pressure politics in policy formulation; opposition actions are organized through the two major parties which act in cooperation and competition in the Congress.⁷

The United Kingdom and the United States of America have different constitutional structures as exemplified by their parliamentary and presidential systems. But both these countries represent a classic example of two-party system where the majority party runs the administration and the party which is out of office clearly offers itself as an alternative government. Australia and Canada are examples of parliamentary democracy along with their official responsible oppositions. The countries of Western Europe like Italy, France and Germany have multi-party systems with no clear cut alternative government.

In the developed countries the opposition can perform its appropriate role; because institutional privileges create a level playing field for opposition inside the legislature. But in the developing country like Bangladesh the opposition fails to perform its effective role because of institutional constraints, limitations of constitutional provisions; structures of the rules of procedure of JS and sometimes lack of willingness of the ruling party to allow the opposition to act upon. In Bangladesh, sometimes the opposition opposes the government only for opposition's sake.

At independence, the political system in Bangladesh started with the introduction of parliamentary democracy according to the constitution of 1972. But, after only three years the Fourth Amendment to the Constitution on 25 January 1975 changed the system and introduced Presidential form of government. After the re-introduction of parliamentary democracy in the country throughout the Twelfth Amendment to the Constitution on 18 September 1991, the opposition regained an important position.

Opposition in the Developing Countries

The state of opposition in developing countries is different in comparison with the opposition of the Western Liberal Democratic countries. The countries of the developing world adopted the way of their colonial rulers in establishing democratic set up in the post-independent period. But many of these countries have encountered a great many difficulties in practicing the above set up in a dissimilar environment. It is quite understandable how difficult it has been to continue with the foreign system transplanted in a society characterized by age-old heritage of authoritarian rule and unfamiliarity with the western concepts.⁸

The opposition and the government in most developing countries remain essentially at loggerheads, with one very often refusing to acknowledge the legitimacy of the other. The two distrust each other to a considerable extent; one also seeks to prosper at the other's expense. Reasons are many, perhaps the most important being the antagonistic actors' lack of familiarity with the process and principles of democratic governance. Until recently, most developing countries remained under authoritarian rule; hence the government and opposition had little to say to one another, apart from trading accusations and counter accusations. The main problem, however, is that the two generally do not agree to change their traditional style of behaviour even after the introduction of democratic reforms in their countries; they prefer to remain engaged, often as a habitual tendency, in *zero-sum* politics.⁹ Like the

experience of the U. K., the Indian parliamentary politics left a deep imprint on the parliamentary politics of Bangladesh. I would like to discuss it in the following section.

Opposition in the Indian Political System

The East India Company set its foot on Indian soil in the year 1600 when the Mughals were at the height of their power and glory. The Company had established its hold on this land after the decay of Mughal Empire, with the death of Aurangzeb in 1707. The country was under Company's rule upto 1858.¹⁰ The Sepoy mutiny of 1857 was a major event in the history of India, both as a step forward in the process of constitutional development and awakening of the people. The people of India as a nation challenged the authority of foreign power on Indian soil. From 1858 to 1947 the British Parliament passed various Acts to affect changes in the administration of the country. Noteworthy among such Acts are the Indian Council Act of 1861, 1892 and 1909; The Government of India Act 1919, 1935 and the Indian Independence Act 1947.¹¹ The British Government through all these Acts has sown the seeds of parliamentary system in India.

The Constitution of India which came into force on 26 January 1950 provides for a bicameral Parliament consisting of the President and the two Houses known as the *Council of States (Rajya Sabha)* and the *House of the People (Lok Sabha)*. India adopted the parliamentary form of government and based her Constitution on the British model because she had remained under the domination of the British for a long period and had been influenced by the British traditions. The parliamentary form of government suits India's big land and strengthens her unity through the involvement of her diverse people in her political life. Instead of being a single nation, India is an aggregate of nations, each one of which is different from the others: there are differences of culture, religion, language, mode of living, dress and even diet. Although despite these

differences, there is a thread of unity running throughout the whole country.¹² The Constitution of India provides for the system of parliamentary democracy both at the centre and in the provinces.

The main functions of both the House is to make laws. Every Bill has to be passed by both the House and assented to by the President before it becomes law. As between the two Houses, the *Lok Sabha* has the supremacy in financial matters. It is also the House to which the Council of Ministers drawn from both Houses is collectively responsible. On the other hand, the *Rajya Sabha* has a special role in enabling Parliament to legislate on a State subject if it is necessary in the national interest. Disagreement between the two Houses on amendments to a Bill may be resolved by both the Houses meeting in a joint sitting where questions are decided by majority vote. However, this provision of joint sitting does not apply to Money Bills and Constitution Amendment Bills.¹³

In the Indian parliament during the enactment of legislation, the ruling party proposes legislative proposals and the opposition generally opposes them and proposes alternative proposals. It is noteworthy that the opposition in Indian parliament supported a large number of bills which were proposed by the government. The government sometimes also consulted with the opposition before introducing bills. Though the government accepted some of the opposition's amendments, yet it opposed several such proposals which had nothing to do with the party interests. There are some common issues which may be raised without party considerations.¹⁴ The defense policy, foreign policy, food policy and development plans are some such noteworthy issues.

Through the various legislative techniques, the opposition of Indian parliament tries to ensure accountability of the government. The main parliamentary devices used by the opposition are: motions for adjournment, debates in the House, motion of no-confidence, interpretation of questions, committee system

etc.¹⁵ The opposition criticizes the government outside the parliament over various issues of national importance and creates public opinion in support of its alternative policies.

India is the largest democratic country of Asia and a unique example of parliamentary democracy in South Asia. Through the use of various legislative devices in the Indian parliament, the opposition ensures accountability of the government. The issues of national importance are discussed in the parliament. The opposition also criticizes the government outside the parliament and creates public opinion. It is noteworthy that, in the Indian political system both the ruling party/parties and opposition have mutual respect to each other which is essential for the proper functioning of parliamentary democracy. By contrast, the opposition in Bangladesh, besides using common parliamentary devices frequently walkout and boycott from the parliamentary sessions and absent from the JS for long period. The opposition is more fascinated to talk about the issues of national importance outside the JS. Another trend of the opposition in Bangladesh is not to cooperate with the government. The appropriate and effective role of the opposition in Bangladesh sometimes depends on the willingness of the ruling party.

Opposition in Post-liberation Bangladesh

After the emergence of independent Bangladesh, the Awami League government not only faced the gigantic task of reconstructing the war ravaged country but also encountered challenges from the opposing groups and parties about the legitimacy of its actions. The opposition criticized the government on economic grounds and demanded quick remedy of the people's miseries. Of all the opposing politicians, Maulana Abdul Hamid Khan Bhashani of the National Awami Party (NAP) was the most vocal and effective in putting forward the above demands through his public meetings and rallies where establishment of an all-party government and resignation of the ruling party were demanded.¹⁶ It

was obvious from Bhashani's public position that no one among the political opposition could effectively challenge Mujib.¹⁷ There was hardly any viable opposition in the true sense during the initial years of the Awami League government.

The split of Students League into two groups Mujibism and scientific socialism took an official shape in late July 1972. Nur-e-Alam Siddiqui group's annual conference was attended and inaugurated by *Bangabandhu* Sheikh Mujib; while the conference of Rab-Siraj group was held at a different venue with an indication of floating a new political platform of their own based on the principle of scientific socialism. Ultimately, in the late October 1972, seven-members convening committee led by Major (Retd.) M. A. Jalil and A. S. M. Abdur Rab were created. With this appeared a new potential opposition political party in Bangladesh's political scene called the Jatiyatabadi Samajtantrik Dal (JSD). The party elected M. A. Jalil as its President and Rab as its General Secretary. Subsequently, on 24 November 1972, an organizing committee of the party with 105 members was formed. JSD considered Awami League regime as an agent of the bourgeois and in its party *Ghoshona Patra*, stated that AL represented only 8% of the people but possessed 85% of the total national wealth of Bangladesh. JSD constantly opposed the AL and organized violent movement against the ruling regime.¹⁸

First *Jatiya Sangsad* Elections of 1973 and Opposition

The First *Jatiya Sangsad* election was held on 7 March 1973. In this election, 14 political parties and 1078 candidates were contested for the 300 general seats. In the election Awami League obtained an overwhelming victory by receiving 293 seats, Jatiya Samajtantrik Dal (JSD)-1, Bangladesh Jatiya League (BJL)-1 and independent-5 seats.¹⁹ The total strength of opposition was very marginal in the first *Jatiya Sangsad*. In spite of the opposition's marginal presence in the legislature, the opposition members and independent MPs, most

notably Aaur Rahman Khan (Chief of Bangladesh Jatiya League), Abdus Sattar (JSD) and some independent members Abdullah Sarkar, Ali Ashraf, M.N. Larma and S.Q.M. Salehuddin, resorted to common devices and mechanisms of the parliament for placing their alternative viewpoints in the House. In all eight sessions of the first *Jatiya Sangsad*, the question hour activity commenced from the second session and became lively all because of the participation of the opposition members. In order to assess the opposition performance, the budget session and third session of the first *Jatiya Sangsad* were randomly selected. During the budget session of 1973, the significant questions and supplementary questions of the opposition were raised mostly by Aaur Rahman Khan.²⁰

Regarding the adjournment motion in the first *Jatiya Sangsad* it was noticed that during its 8 sessions, of the 14 notices received, 12 were raised by the opposition and independent MPs. On the discussion on matters of urgent public importance for short duration (Rule 68), there were a total of 15 notices received. Of these, 5 were from the opposition but only two were discussed in the house: one was raised by JSD MP Abdus Sattar and the other notice was raised by independent-cum-opposition MP Abdullah Sarkar. With regard to calling attention to matters of urgent public importance (Rule 71) in all the 8 sessions of the First *Jatiya Sangsad*, 229 notices were received from the legislators including 58 from the opposition. Of the 52 notices which were accepted for discussion, only 9 were from the opposition.²¹

Without necessary party strength in the House, the opposition was not at all in a position to ensure accountability of the government. The influence of the first JS gradually declined with the assumption of the arbitrary powers by the executive. Intolerant attitude in dealing with the opposition both inside and outside the Parliament contributed to this process. The presence of opposition members in the House was noticed only through their participation in the

question hour which was, however, not noticed in the eighth and final session of the first *Jatiya Sangsad*.

Experience of Zia Regime

A series of coups and counter-coups since mid-August to November 1975, General Ziaur Rahman was installed as army chief and consolidated his position as the Deputy Chief Martial Law Administrator (DCMLA) and emerged as a *de facto* leader of the new regime. In order to concentrate state power and further consolidate his position General Zia took the charge of Chief Martial Law Administrator (CMLA) on 30 November 1976 and assumed the presidency on 21 April 1977 replacing Justice Abu Sadat Mohammad Sayem on health grounds.²²

Initially, General Ziaur Rahman declared his regime as interim in nature with its prime objective of returning political power to the elected representatives of the people and restore democratic order. As part of preparing the ground for free political activities and holding elections, the regime adopted a measure of allowing limited party activity from July 1976. Afterwards, the government passed the Political Parties Regulation (PPR) to permit politics from 30 July 1976. Under the PPR, political parties had to submit their constitutions, political programmes and manifestoes for scrutiny in order to obtain necessary government permission to do indoor politics. By the end of 1976, about sixty political groups applied for permission and duly submitted their constitutions and twenty one of them including the Awami League were given government approval to operate as political parties under PPR.²³ Under continuous pressure from the political parties, the Zia regime withdrew the PPR in November 1978.

Political Parties Regulation was important milestone of Zia regime which produced a situation for free play of party building and massive increase in the number of political parties in the country. In the process of revival of political parties within the framework of multi-party system more than one hundred

political parties were operating in the country at that time. It is noteworthy that, factional trends were clearly visible among the major political parties during the Zia regime.²⁴

Zia took the initiatives to civilianize his military regime and designed of restoring democracy in phases from local to the national levels. Therefore, his plan was first to hold *Union Parishad* elections to be followed by presidential and parliamentary elections. Zia's commitment to the country's overall socio-economic development was expressed through his 19 point programmes. In order to test public confidence, a national referendum was held on 30 May 1977 in which Zia obtained 98.87 per cent support from the electorates.²⁵ The JSD was the only opposition party to resist the referendum of General Zia.

With the approach of presidential election on 3 June 1978, the opposition parties visualized the first genuine chance to become involved free political activities since the first military coup on mid August 1975. General Zia became the candidate of an electoral alliance called the *Jatiyatabadi* (Nationalist) Front consisting of JAGODAL, NAP (B), Muslim League, United People's Party, Bangladesh Labour Party and Bangladesh Schedule Caste Federation. The opposition forces representing the diverse groups formed Ganatantrik Oikko Jote or Democratic United front consisting of Awami League, NAP (M), Krishak Sramik Party, Janata Party, Gana Azadi League and Bangladesh People's League. The opposition alliance nominated Janata Party chief and General (Retd.) M. A. G. Osmani as their candidate. At the time of presidential election, because of the persistence of martial law regulations and restrictions the opposition faced severe obstructions from the regime and there were as many as five thousand AL workers and activists in prison without trial. The election result saw General Zia victorious while the opposition candidate Osmani received about 22 per cent of total vote cast.²⁶

Second *Jatiya Sangsad* Elections of 1979 and Opposition

In the Second *Jatiya Sangsad* elections of February 1979, twenty nine political parties and 2,125 candidates were contested for 300 general seats. In this election Bangladesh Nationalist Party (BNP) won in 207 seats and Awami League won 41 seats and returned as the second largest political party and the largest opposition in the country.²⁷ Asaduzzaman and Mohiuddin Ahmed of Awami League, elected from Jessore and Bakerganj constituency respectively, became the Leader and Deputy Leader of Opposition in the House.

In the first session of April 1979, the opposition raised its protest against the passing of the controversial Fifth Amendment to the Constitution which validated all the martial law regulations, orders and proclamations made since the 15th August coup of 1975. During the second session, out of the 471 starred and unstarred questions in the House, 300 were from the opposition MPs belonging to Awami League, JSD, BJI, Muslim League-Islamic Democratic League and other smaller parties. In the second JS, a total of 52 Adjournment motions were moved by the opposition out of which 31 were discussed. In the second JS a total of 279 calling attention to matters of urgent public importance notices were accepted by the House, 133 were from the opposition.²⁸

The opposition members of the second JS also tried to raise issues of urgent public importance (13 notices) and discuss them for short duration (Rule 68). As per Rule 60, the opposition MPs came forward to participate in half an hour discussion (6 notices) on a matter of public importance. In the second *Jatiya Sangsad*, 30 standing committees were formed to develop the committee system. But as all the standing committees were chaired by the ministers and were greatly dominated by the treasury bench, the opposition members of the parliament in the above committees had very limited role in the whole committee system.²⁹ The above participation of opposition in the second JS sessions through the use of different parliamentary devices indicate that the

opposition MPs failed to perform its appropriate role to ensure the accountability of the government.

Experience of Ershad Regime

On 24 March 1982, under the leadership of General Ershad, the army formally captured state power. The inevitability of this action was defended on the grounds that the country's sovereignty and security were increasingly threatened by massive corruption, ailing economy, indiscipline in socio-political sectors, crisis of food, worsening of law and order situation and deadlock in administration.³⁰ General Ershad made himself the President of the country on 11 December 1983 replacing Justice A.F.M. Ahsanuddin Chowdhury without showing any reason. He also retained at the same time the position of the Chief Martial Law Administrator (CMLA).

Third *Jatiya Sangsad* Elections of 1986 and Opposition

The elections of the third *Jatiya Sangsad* was held on 7 May 1986. In this election 28 political parties and 1,527 candidates contested for 300 general seats of parliament. In this election Jatiya Party won in 153 seats while Awami League won 76 seats and came up as the major opposition in the JS. Jamat-i-Islami won only 10 seats. All the 30 reserved seats for women were captured by the Jatiya Party because of indirect election.³¹

The inaugural session of the third *Jatiya Sangsad* was convened on 10 July 1986, but the main opposition Awami League boycotted the first session in protest against the sitting of JS with martial law in the country. General Ershad had to deliver his inaugural speech to JS unattended by the main opposition. The third JS continued up to July 13, 1987 and held only four sessions and enacted 38 laws during its tenure of 75 days. The second session of the third JS was remarkable as it was summoned to pass the Seventh Amendment to the Constitution for validating the proclamation of martial law and all other actions

taken since 24 March 1984. This session continued only for five hours and again without the presence of the main parliamentary opposition.³²

During the third and final session of the third *Jatiya Sangsad*, the opposition parties remained active in using the common legislative devices and duly participated in the parliamentary transactions. The opposition moved 5 adjournment motions to draw attention of the House to matters of urgent public importance. The opposition in the third JS used the device of calling attention to matters of urgent public importance. Out of 71 notices, 43 were raised by main opposition Awami League. During the third session, 16 notices were received regarding the half an hour discussion on matters of urgent public importance and only one of these was accepted by the House.³³ Through the common legislative devices in the third JS, the opposition failed to ensure the accountability of the government and they launched street movement to oust the Ershad regime.

Fourth *Jatiya Sangsad* Elections of 1988 and Opposition

Fourth *Jatiya Sangsad* elections were held on 3 March 1988 as scheduled without the participation of the mainstream opposition. The Combined Opposition Party (COP), consisting of 76 insignificant organizations, led by JSD leader A.S.M. Abdur Rab was brought in to take part in the poll. In the fourth JS election the ruling party won an overwhelming victory with 251 seats out of 300 general seats. The COP remained satisfied with 19 seats followed by JSD (S) and Freedom Party obtaining 3 and 2 seats respectively. The independent candidates won 25 seats. Because of the expiry of the stipulated time period, the fourth JS had no reserved seats for women. The tenure of the fourth JS was 168 days and during its tenure it held seven sessions and enacted 142 laws. Although the fourth JS lacked legitimacy in the eyes of the mainstream opposition and could not obtain the people's sympathy, they were unable to stop it from functioning. In the fourth JS a total 5,812 starred, 931

unstarred and 9 short notice questions were accepted and answered in the House.³⁴

The fourth JS received 337 notices of adjournment motions of which only 5 were accepted for discussion. The opposition members raised three motions; two by Nur Alam Ziku of COP and one by Shahjahan Siraj of JSD (S). With regard to the calling attention to matters of urgent public importance, the House received a total of 1,459 notices but accepted only 151. Of the accepted notices 67 were raised by the opposition. The discussions on matters of urgent public importance for short duration, 51 notices were accepted by the House for discussion and 26 were raised by the loyal opposition members.³⁵

For half an hour discussion, the house received 56 notices and accepted 9. Out of the accepted notices, 4 were raised by the opposition members belonging to the COP. The opposition member also used the question of privileges in the House which received 66 notices but accepted 10. Among these questions, 3 were raised by the opposition members from the COP and JSD. The fourth JS tried to activate its committee system. Although the standing committees suffered from inability to work independently due to lack of information and appropriate logistic and administrative support from the ministers, the fourth JS interestingly, produced as many as five committee reports, two of them on public accounts and one each on estimates, government assurance and public undertakings.³⁶ In the fourth JS, the opposition failed to make the government accountable through the use of common parliamentary devices, leading to take the street agitations against incumbent regime.

Fall of Ershad

Since the assumption of state power, General Ershad faced movements organized by the opposition parties and alliances. In the year 1989, the opposition observed nation wide *hartals* and blockade for more than 60 days. The opposition chalked out various programs and arranged a sit-in-strike in

front of the Secretariat on 10 October 1990. A total of 22 student organizations formed the All Party Students Unity (APSU), which provided a symbol of unity in the opposition front. Awami League leader Sheikh Hasina and BNP leader Khaleda Zia, acceded to dissolve their personal hatred, at least for the time being. All the major opposition alliances accepted the demand of APSU to sign, on 19 November 1990, a Joint Declaration highlighting the process of democratic transition. The main features of the Joint Declaration included the following: the three political alliances would boycott and resist all elections sponsored by the illegitimate Ershad government; these alliances would participate in the elections only when conducted by a neutral, non-party government; Ershad regime would be forced to resign and an interim caretaker government would be formed; Election Commission would be reconstituted by the caretaker government to hold free and fair elections and re-establish the electorate's voting rights; the fundamental rights of the citizens, rule of law and judicial impartiality would be ensured.³⁷ Ershad resigned on 6 December 1990; the Parliament was dissolved and Ershad handed over power to a nominee of the combined opposition alliances, the Chief Justice of the Supreme Court, Justice Shahabuddin Ahmed.

From the above comparative analysis of the role of opposition in developed and developing countries we can draw the conclusion that the opposition of the developed countries performs its appropriate role as the opposition in these countries can exercise their institutional privileges to oppose the government. But the role of opposition in Bangladesh remains lackluster due to institutional constraints, limitations of the Rules of Procedure of the JS, limitations of the constitutional provisions and antagonistic attitudes towards the opposition by the government etc. Lack of willingness of the opposition for not to act properly inside the JS stem from narrow partisan gain. The opposition is allowed to resort walkout tactic within the parliamentary rules of the game during the session of the *Jatiya Sangsad* but they should not boycott from the House.³⁸ The opposition is not adapted to the meaningful use of parliamentary

devices inside the JS and they prefer outside activities of the JS are as follows: conduct rallies, demonstrations, calling strike, *hartals* and sometimes non-cooperation movement against the government. The opposition has the commitment to the electorates of their own constituencies as well as to the nation. Through boycott, the opposition deviates from parliamentary rules of the game, weakening parliament's capacity to enact the bill. As a result, the opposition's role creates a gap between their promise and performance.

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Chapter 4:
**Re-introduction of Parliamentary Democracy
and Role of Opposition in the Fifth *Jatiya*
Sangsad (1991-1995)**

Re-introduction of Parliamentary Democracy and Role of Opposition in the Fifth *Jatiya Sangsad* (1991-1995)

The present chapter deals with the functions and role of opposition in the fifth *Jatiya Sangsad*. This chapter describes the background of the fifth *Jatiya Sangsad* elections and the re-introduction of parliamentary democracy in the country under the Twelfth Amendment to the Constitution. It also discusses the various important legislative techniques by which the opposition tried to make the government accountable inside the *Jatiya Sangsad* and the opposition also adopted certain strategies outside the *Jatiya Sangsad* to criticize the government policies and to create public opinion regarding the issues of national importance.

Eight years and nine months autocratic rule of General Ershad came to an end when anti-Ershad movement reached its climax in 1990. The All Party Students Unity (APSU) and the three main alliances (AL-led eight party alliances, BNP-led seven party alliances and the left-leaning five party alliances) bridged their differences in order to overthrow General Ershad. On 19 November 1990 all the three alliances forged a common platform and signed a joined declaration that outlined the formula of transition from an autocracy to democracy.¹

The joint declaration of the three party alliances was a milestone in the movement for restoration of democracy. By this common formula agreed by all the opposition political parties, the anti-Ershad movement gained momentum. Many professional groups such as university teachers, lawyers, journalist, doctors, engineers, artists and others lent their unequivocal support to the movement. On 3 December 1990, Ershad addressed the nation and declared that in order to ensure a free and fair election he would hand over power to a neutral Vice- President and resign from the post of President fifteen days before the date of submission of nomination. But the opposition did not respond to this proposal as they demanded Ershad's unconditional resignation.

On 4 December 1990, the television broadcasted the news of Ershad's unconditional resignation. On 5 December 1990 the opposition alliances decided to nominate Justice Shahabuddin Ahmed, the Chief Justice of the Supreme Court as Vice-President to enable him to become the Acting President of the interim government. On 6 December 1990, the Vice-President Moudud Ahmed resigned and Ershad appointed Justice Shahabuddin Ahmed as the Vice-President. Immediately thereafter Ershad himself resigned and the new Vice-President assumed the office as Acting President.²

After the assumption of state power by the caretaker government led by Justice Shahabuddin Ahmed, all necessary preparations were taken by his interim administration to move towards democracy. Justice Shahabuddin Ahmed, who was acting both as nominal and real executive, had the endorsement of the mainstream opposition to arrange, within a period of three months, a free and fair parliamentary election. In order to establish a trustworthy election system, the caretaker government adopted a number of important measures. A code of conduct was subsequently formulated that spelt out the mode of campaign for the contesting parties. With the arrangement of the fifth *Jatiya Sangsad* election under a neutral caretaker government, the citizens of the country in general expected to cast their votes themselves without hindrance on their free choice and judgement.³

The date of the fifth *Jatiya Sangsad* elections was fixed on 27 February 1991 by the caretaker government of Justice Ahmed. The election was significant for a number of reasons:⁴ (a) For the first time in the country's history, parliamentary election was held under a neutral caretaker government. Unlike all previous elections, none from within the government contested the polls; (b) The election itself was the direct outcome of a basically urban-based bloody movement that brought an end to the quasi-dictatorial era of Ershad; (c) The election was expected to decide the future system of government-whether to continue with the existing presidential form of government or to restore the

parliamentary system; (d) For the first time the BNP and JP contested the parliamentary elections on equal terms with other parties, i.e., they were not part of the government conducting the polls; and (e) The two major parties the BNP and the AL of a predominantly Muslim conservative society contested the elections under the leadership of two women. The BNP fought the election under the leadership of Khaleda Zia and the AL contested the election under the leadership of Sheikh Hasina.

A high degree of enthusiasm was shown by the voters and the political parties in this election. This was because the election itself was the outcome of a prolonged movement by the political parties, students and various professional groups for the restoration of democracy.

Fifth *Jatiya Sangsad* Elections of 1991 and the Major Political Parties

In the fifth *Jatiya Sangsad* elections, 75 political parties and a total of 2787 candidates (including 424 independents) were contested for the 300 general seats. The number of political parties and candidates in this election was the highest since independence. The BNP was the only party that nominated candidates in all the electoral districts of the country. Although the AL had the organizational strength to set candidates in every constituency of the country, it fielded 264 candidates and decided to support the candidates of its allies in the eight-party alliance in the remaining 36 electoral districts. Jatiya Party nominated 272 candidates and Jamat-i-Islami put up 222 candidates. Among other smaller political parties which set up more than 50 candidates included JSD (Rab), BAKSAL, JSD (Inu), Freedom Party, Muslim League (Q), Islami Oikya Jote and Janata Dal. The Bangladesh Zaker Party nominated 251 candidates.⁵

A record number of 47 women, including Khaleda Zia, Sheikh Hasina, Awami League General Secretary, Sajeda Chowdhury contested the elections. Khaleda Zia contested in five constituencies-two in Dhaka city and one each in

Chittagong, Feni and Bogra. Sheikh Hasina contested a seat in her home constituency at Gopalganj and two seats in Dhaka city. Deposed President, Ershad filed nomination papers for five seats in Rangpur district. Unlike the previous parliamentary elections, almost all prominent leaders of all political parties contested the 1991 election. Although 75 political parties of different size and strength were in the race, it was clearly understood well before the election-day that the main contest would be between the Bangladesh Nationalist Party (BNP) and the Awami League (AL).⁶

Election Manifestoes

The election manifesto of BNP was based on the 19-point programme of Zia. The manifesto pledged the establishment of an honest government, independence of judiciary, rule of law and multi-party democracy. The party would work towards implementation of the four fundamental principles of the constitution: absolute trust and faith in almighty Allah, democracy, nationalism and social and economic justice. Priority was to be given to the agricultural sector to achieve self-reliance in food and to promote free market economy and foreign investment aimed at employment generation. The party manifesto promised to weed out corruption from administration, it would repeal all black laws including Special Power Act and Printing and Publications Act and to create a strong and disciplined army for the protection of the country's independence and sovereignty. The party would revive the *Gram-Sarkar* for village-based development. A non aligned foreign policy on the basis of friendship with all countries, particularly Muslim countries and neighbors, was the thrust of the party's foreign policy promises. BNP would take steps for eradication of illiteracy in the light of mass-literacy programme. The manifesto branded the five years of BNP rule as the "golden era" of Bangladesh.⁷

The AL election manifesto pledged to introduce the parliamentary system of government, restore the constitution of 1972, ensure freedom of speech and the

press, provide full independence of the judiciary and repeal all repressive and black laws. The manifesto gave special emphasis to introducing a market economy encouraging private sector and foreign investment for rapid industrialization. The party made its position clear against the policy of massive denationalization of industrial and commercial institutions pursuing the policy of control of the national economy. The importance of public and private sectors for an overall economic development of the country was fully recognized. Emphasis was laid on pursuing non-aligned foreign policy with 'friendship to all malice to none' and on further strengthening relationship with the OIC and the SAARC countries. The party also expressed its commitment to establish a corruption-free administration accountable to the people where the institutional neutrality of the administrative machinery would be ensured and decentralization of power will be one of the main objectives of the administrative reorganization. The manifesto laid special emphasis on building strong, efficient, well-trained and disciplined armed forces to defend the country from external aggression.⁸

The Jamat-i-Islami⁹ emphasized the necessity of turning Bangladesh into an Islamic state which would follow the tenets of the *Quaran* and *Sunnah*. If voted to power, the party would ensure the basic needs of the people which are food, clothing, shelter, education and Medicare. JI would establish such a system of government which would ensure the rights of women and full civil and human rights of all citizens irrespective of caste and creed. It pledges to work towards preservation of the country's independence and sovereignty. If voted to power, the party would abolish all un-Islamic laws and repeal all restrictions standing on the way to fundamental rights including black laws. The party favored independent foreign policy free from the influence of any power blocks and good relationship with Muslim countries and the neighbors. The party is also in favour of a strong defence force equipped with modern equipments to improve defence capability. It would gradually strive towards eradication of poverty and unemployment and turn the population into useful manpower.¹⁰

Jatiya Party came up with 12-point election manifesto highlighting Bangladeshi nationalism, balance of power between the President and the Parliament and other representative units from the lowest level. JP would improve the living standard of all citizens by creating employment opportunities for them. JP would give emphasis on administrative reorganization and the introduction of the Upazilla system. It would distribute the *khas* land among the landless peasants and create more *Guccha gram* (cluster village). JP would pursue a non-aligned foreign policy with a motto of friendship to all and malice to none and friendly relationship with the SAARC countries, China and all the Muslim countries. The party manifesto promised to bring a change in the agriculture sector and increase agricultural production.¹¹

Measures for Fair and Impartial Election

The government took several measures to re-establish the people's confidence in the electoral process. The Bangladesh Election Commission was empowered to suspend returning and presiding officers for election offences. All government and semi-government officers and employees deployed for election were put under the jurisdiction of the Election Commission.¹²

The government felt necessity of giving the *Union Parishad* and *Pourashava* certain special responsibilities to maintain law and order within their respective jurisdictions. An ordinance, entitled 'The *Union Parishad* and *Pourashava* Ordinance 1991' was promulgated to this end. The ordinance required these local bodies to resist all activities directed against the holding of fair election; to resist any attempt to harm or destroy any office, symbol, poster, banner related to the election; to resist any attempt of violating election laws and rules on the day of the election and to extend necessary assistance to concerned authorities in the enforcement of such laws and rules. It empowered the government to suspend or dissolve any *Union Parishad* or *Pourashava* where peace was disrupted.¹³

Results of the Fifth *Jatiya Sangsad* Elections

The fifth *Jatiya Sangsad* elections were held on 27 February 1991 throughout the country in a peaceful atmosphere except some incidents happened in some places. Bangladeshi and foreign observers found the election most peaceful, free and fair. The election observer team of the British Parliament, the SAARC team and the Japanese team visited many polling stations throughout the country on the election-day.

It is interesting to note that although 75 political parties contested in the elections, 93.66 percent of seats were won by four major political parties. Of the remaining 71 parties only eight managed to win any seat. Thus, a large number of little-known parties that had been hastily organized before the election and lacked popular support were driven out of politics. Unlike all previous parliamentary elections, no party could win a clear majority of seats in the 1991 elections. The election results were full of surprises. The AL chief Sheikh Hasina was defeated in two constituencies of Dhaka city by relatively unknown BNP candidates. However, Sheikh Hasina won a seat in her home constituency of Gopalganj. Some other stalwarts of AL were also defeated. They included, among others, Dr. Kamal Hossain, Zillur Rahman, Abdul Mannan, Amir Hossain Amu and Zohra Tajuddin. The prominent leaders of the other political parties who suffered the debacle in the elections were Abbas Ali Khan of Jamat-i-Islami, Saifuddin Ahmed of Communist Party of Bangladesh (CPB), Muzaffar Ahmed of National Awami Party, Saifur Rahman of BNP, Khaliquzzaman of Bangladesh Samajtantrik Dal, A.S.M. Abdur Rob of Jatiya Samajtantrik Dal and Mijanur Rahman Chowdhury of Jatiya Party.¹⁴

In analyzing the frustrating electoral performance of the Awami League, observers identified the following major factors: over-confidence of the party leaders, failure to make self-criticism, presence of squabbles within the organization, improper election campaign characterized by negative criticism

against its political opponents, lack of a firm stand regarding allegations of its pro-Indian attitude and problems related to nominating candidates either for AL or for the 8-party political alliance.¹⁵

Table 4.1

Results of the Fifth Jatiya Sangsad Elections, 27 February 1991

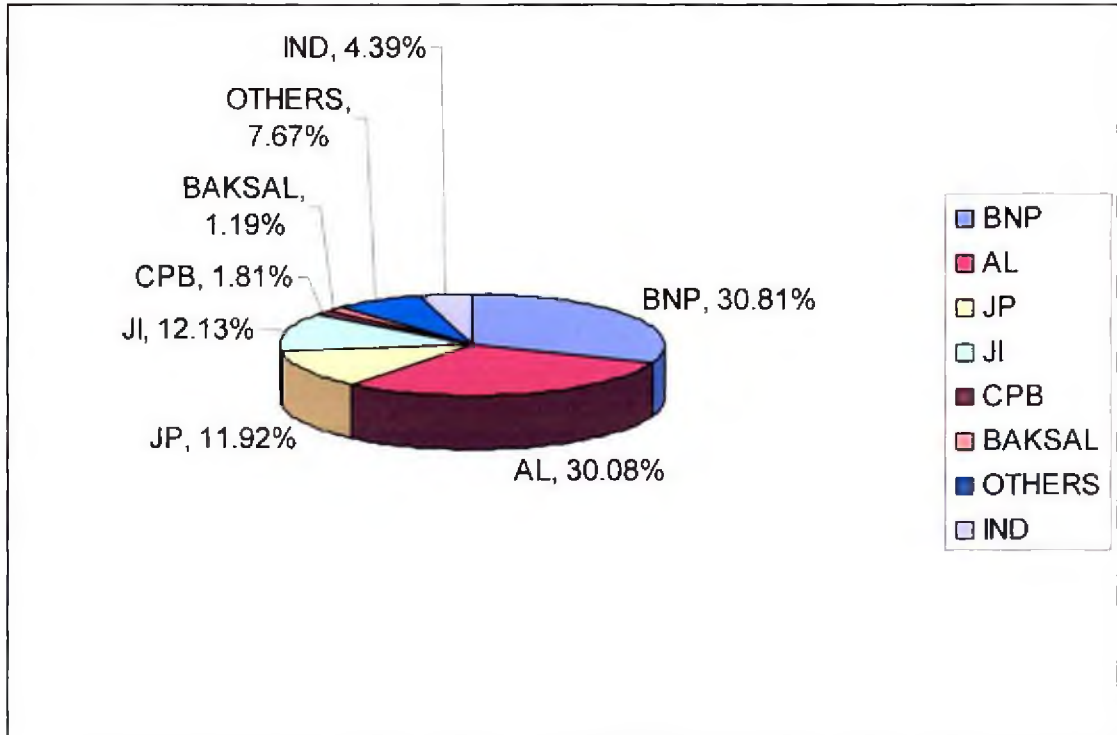
Name of Party	No of Candidates	Votes Polled	% of Votes Polled	No. of Seats Won
BNP	300	1,05,07,549	30.81	140
Awami League	264	1,02,59,866	30.08	88
Jatiya Party	272	40,63,537	11.92	35
Jamat-i-Islami	222	41,36,661	12.13	18
BAKSAL	68	6,16,014	1.81	5
CPB	49	4,17,737	1.19	5
Others Party	1,188	1,31,12,566	7.67	6
Independents	424	14,97,396	4.39	3
Total	2,787	3,41,03,777	100	300

Source: Compiled by the researcher from Bangladesh Election Commission, Dhaka, 2008.

The uncompromising attitude of Khaleda Zia towards former President Ershad won her considerable respect across the country. Under her leadership, the BNP boycotted the presidential and all parliamentary elections when Ershad was in power. In addition, Begum Zia's clean image gave the political credibility needed to win the elections. The popularity of *Jatiyabadi Chatra Dal*, the student wing of BNP, among the students and its control over most of the college and university students' union, including Dhaka University Central Students Union (DUCSU) helped the BNP to take its message to the remote villages. The fifth JS elections proved once again that the party having the support of the largest portion of student community is most likely to win the national elections in Bangladesh, if held free and fairly.¹⁶

Diagram 4.1

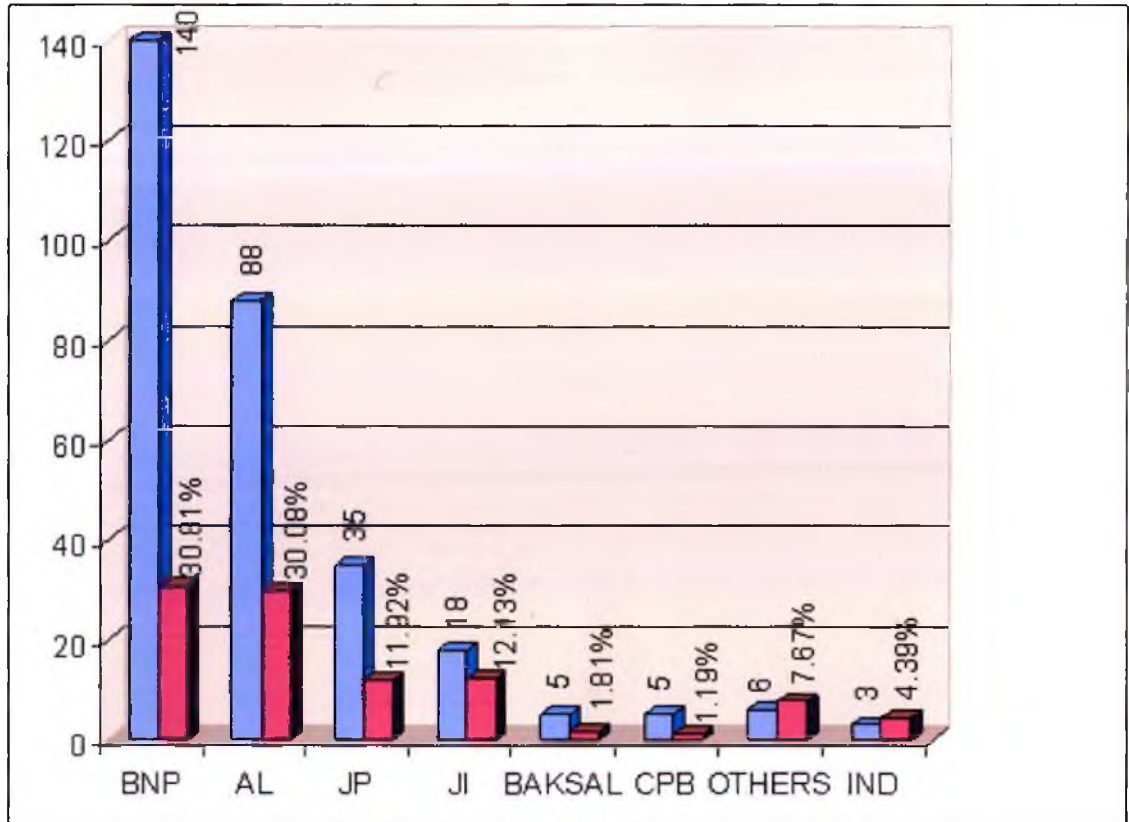
Graphical Presentation of Votes Obtained by the Parties in the Fifth Jatiya Sangsad Elections, 27 February 1991



From the diagram 4.1, we can see that in the fifth *Jatiya Sangsad* elections, BNP secured the highest percentage (30.81%) of votes; while AL secured 30.08 percent of votes and emerged as the main opposition party in the parliament. Jamat-i-Islami received 12.13 percent, Jatiya Party received 11.92 percent of votes and became third and fourth position in the elections respectively. CPB received 1.81 percent, BAKSAL received 1.19 percent, independent candidates received 4.39 percent and the other small parties received 7.67 percent of votes casted in the fifth *Jatiya Sangsad* elections.

Diagram 4.2

Graphical Presentation of Votes and Seats Obtained by the Parties in the Fifth Jatiya Sangsad Elections, 27 February 1991



From the diagram 4.2, we can see that though the BNP won highest number of seats (140) in the JS, the percentage of votes (30.81%) was slightly higher than the AL (30.08%). On the other hand, JI won in the 18 constituencies and received 12.13% of votes; JP won 35 constituencies and received 11.92% of votes. JI received more votes compared to JP but won fewer seats in the elections. BAKSAL received 1.81%, CPB 1.19%, other small parties received 7.67% and the independent candidates received 4.39% of vote caste in the fifth JS elections. A combination of factors led to the debacle of the Awami League. The internal feuds in the Awami League contributed substantially to the defeat of the party in the elections. The AL was not sufficiently in touch with 'a new generation of younger voters, for many of whom the trauma of Bangladesh's liberation two decades ago is a faint memory. Sheikh Hasina's campaign

strategy was defective. She concentrated on the past than on the future program of her party.¹⁷ Through this election, Awami League with 88 seats emerged as the largest opposition than any time ever before. The rise of opposition with such a magnificent fashion is a new development in the parliamentary democracy of Bangladesh.

Role of Fifth *Jatiya Sangsad*: The Rise of Real Opposition in the Post-independent Bangladesh

Unlike the previous parliament in Bangladesh, the fifth JS had a strong organized opposition. The fifth JS held 22 sessions and total 400 working days. Among those, 68 working days were fixed for the opposition Members of Parliament. The first session of the fifth JS started on 5 April 1991 and the end of the twenty second session was on 18 November 1995. The maximum working days (seven days) for the opposition MPs were fixed in the second and sixth sessions of the fifth JS. The minimum working day (one day) for the opposition MPs was fixed in the fifth, ninth, fourteenth, sixteenth, nineteenth and twenty second sessions of the fifth JS. Like the previous parliaments it failed to complete its full term of five years. The fifth JS was dissolved before four months of its fixed term.

On 5 April 1991, the first session of the fifth parliament commenced with the election of the Speaker and Deputy Speaker of the House. Though the main opposition was committed to parliamentary system, the tradition of uncontested election of the above posts was not maintained. The parliamentary tradition was tarnished as being the opposition party, Awami League emphatically pressed on putting its own candidates. Quite obviously, they were defeated in the House. Since Awami League did not obtain support for its candidates from outside the party, the unity in the opposition camp was considerably eroded.¹⁸

Table 4.2

List of Working Days in the Fifth Jatiya Sangsad and Opposition Participation

Sessions	Total Working days	Total Working hours	Working days for Government MPs	Working days for opposition MPs
First (5.4.91-15.5.91)	22	140.48	19	3
Second (11.6.91-14.8.91)	43	246.58	36	7
Third (12.10.91-5.11.91)	14	70.31	12	2
Fourth (4.1.92-18.2.92)	27	147.36	21	6
Fifth (12.4.92-19.4.92)	06	33.07	5	1
Sixth (18.6.92-13.8.92)	41	263.14	34	7
Seventh (11.10.92-6.11.92)	20	89.32	16	4
Eighth (3.1.93-11.3.93)	32	133.31	26	6
Ninth (9.5.93-13.5.93)	05	25.49	4	1
Tenth (6.6.93-15.7.93)	31	198.29	29	2
Eleventh (12.9.93-27.9.93)	12	67.57	10	2
Twelfth (21.11.93-8.12.93)	14	67.47	12	2
Thirteenth (5.2.94-7.3.94)	19	63.08	15	4
Fourteenth (4.5.94-12.5.94)	06	20.49	5	1
Fifteenth (6.6.94-11.7.94)	25	71.13	21	4
Sixteenth (30.8.94-14.9.94)	10	18.03	9	1
Seventeenth (12.11.94-8.12.94)	21	39.27	17	4
Eighteenth (23.1.95-23.2.95)	18	32.37	14	4
Nineteenth (24.4.95-27.4.95)	04	12.00	3	1
Twentieth (15.6.95-11.7.95)	17	62.46	15	2
Twenty 1 st (6.9.95-26.9.95)	10	29.51	7	2
Twenty 2 nd (15.11.95-18.11.95)	03	05.27	2	1
Total	400	1837.58	333(83.25%)	67(16.75%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

Since the 13th session the opposition had been boycotting the parliament on the demands of holding free and fair election under a neutral caretaker government and on 28 December 1994, the opposition submitted their *en masse* resignation.

Opposition's Demand for the re-introduction of Parliamentary Democracy

In the first session of the fifth *Jatiya Sangsad*, Awami League strongly pleaded for a switch over to parliamentary system. This demand was also put forward simultaneously outside the JS by Awami League along with various civil society associations, student organizations, fronts and professional bodies.

While demanding parliamentary system, the opposition argued that under the existing constitution President was not at all answerable to the people and cabinet was nothing but an advisory body and such a system only inspired the elected President to behave like an autocrat and established whimsical domination over the whole nation. Therefore, in order to prevent future autocratic rule in the country, the parliamentary opposition parties including Awami League, Jamat-i-Islami and parties belonging to five-party alliances pressed hard to achieve their vital demand. During the working of the first session, the deputy leader of the opposition in the House served a notice of a constitution amendment bill for the purpose. The ruling party was under pressure not only from the major opposition to go back to parliamentary system but also faced similar demands from its own rank and file and numerous BNP supporters. Yielding to demands of the opposition and government backbencher, the leader of the House Begum Zia, ultimately decided to introduce a parliamentary form of government.¹⁹

During the second session of the fifth JS, Constitution (Eleventh Amendment) Bill, 1991 and Constitution (Twelfth Amendment) Bill, 1991 were moved on 2 July 1991 by the ruling party in the House. While the former removed the constitutional problems of returning of the Acting President to his earlier post in the Supreme Court, the later advocated parliamentary system of government to replace the Presidential system. From the opposition, Awami league moved the Constitution Amendment Bill two days later in the House. The opposition raised objections particularly to the provisions relating to the inclusion of non-MPs in the cabinet, the power of the President to dissolve the House, the method of Presidential election and limitations on floor crossing. There were discussions and debates in the House on both the bills proposed by the Treasury Bench and the opposition. For detailed examination of the bills and for resolving the differences of the competing sides, they were referred to a Select Committee comprising 15 members from ruling and opposition parties. The committee prepared a report which was accepted by all parties. On 6

August 1991, the Constitution (Eleventh Amendment) Bill, 1991 and Constitution (Twelfth Amendment) Bill, 1991 were placed before the House for formal adoption. After a brief deliberation on 7 August, the former was passed by 278 votes against none. On the latter, votes were taken twice; in the first voting there were 306 votes in favour and no negative vote and in the second voting there were 307 affirmative votes and no negative vote. In order to have public endorsement for the change of the governmental system through the Twelfth Amendment, a nation wide referendum was held in September 1991. The electorate voted favourably although voter turnout was little over 35 per cent. With this public approval, Bangladesh returned to the parliamentary democracy anew.²⁰ Alongside the election of the President of the Republic was another historic event held in this parliament.

President Election and Opposition

The opposition opposed the government's attempt to hold election of the President by an open ballot. Awami League decided to select a candidate from the opposition side as a mark of its protest against the nomination of a controversial person Abdur Rahman Biswas, by the ruling party for the presidency. The candidature of Mr. Biswas also aroused differences within the government party and this led the party in power to promulgate an ordinance providing restrictions on floor crossing even in electing the head of the state. The opposition moved their united resistance against this ordinance which, to them, intruded on the fundamental rights of the Members of the Parliament and hence it was undemocratic and autocratic in nature. It was also criticized by the opposition that, by giving his signature, the Acting President made himself a party to this controversial ordinance. The opposition went to the extent of legally challenging the Presidential Election Act and President Election Amendment Ordinance. Thus writ petitions were moved before the High Court by some leading opposition MPs like Barrister Moudud Ahmed of Jatiya Party and Sheikh Ansar Ali of Jamat-i-Islami. Facing such opposition moves, the

party in power repealed the ordinance before the holding of the presidential election and this was seen as a significant political gain of the combined opposition forces.²¹

Parliamentary Sessions and Opposition

After the formation of the fifth *Jatiya Sangsad*, the participation of the opposition ushered in a new hope of democratic development in the country. Political analyst expected that, under the parliamentary set up, the constitutional opposition, while discharging legislative duties, would do its prime job of examining and scrutinizing government activities properly to make the party in power behave. It is noteworthy that the parliamentary opposition parties during their presence in the House from the first session to the thirteenth session, tried to use important parliamentary mechanisms for ensuring accountability of the government and put forward opposition points and issues.²²

Motion of No-Confidence

No-Confidence motion was an important feature of the fifth *Jatiya Sangsad* brought by the opposition against the party in power. Such a parliamentary move from the opposition against the government was unprecedented in the political history of Bangladesh. On 5 August 1992, seven notices of no-confidence were submitted against the party in power by Awami League, Jatiya Party, Workers Party, JSD, NAP, CPB and Ganatantri Party. Of the seven notices, Speaker of the House allowed one notice, moved by the deputy opposition leader, Abdus Samad Azad for debate in the House. During the debate opposition leader Sheikh Hasina placed her arguments that the government was entirely incapable of guaranteeing law and order defending property and lives, mitigating terrorism in the campuses, saving foreign mission and unraveling the crisis of Chittagong Hill Tracts and Rohingya

refugees. The opposition members also condemned the ruling party for police attack on journalists and politicization of administration.²³

While participating in the debate on no-confidence motion against the ruling party, Sheikh Hasina expressed that such a motion reflected the wishes of the masses and the fall of the government did not mean it would baffle democracy. In her one hour long speech, the opposition leader thus made severe allegations against the government and provided evidence of failure of the ruling party in various sectors of the country. Referring to various press reports, she pointed out that the whole nation was terrified due to worsening of the law and order situations, widespread terrorism all over the country and similar other social problems. The mover of the no-confidence motion, deputy leader of the opposition, brought nine specific charges against the government and mentioned that people had lost their trust in the government. He further pointed out that the opposition had no option but to raise a no-confidence motion against the ruling party. After a heated and marathon debate on the no-confidence motion between the Treasury Bench and the opposition MPs, the Speaker gave it for voting. The no-confidence motion against the government of Begum Zia was initiated in the *Jatiya Sangsad* by 186 votes to 122. The MPs of Jamat-i-Islami abstained from giving their opinion on this motion in the House while the MPs of National Democratic Party and Islami Oikya Jote and two independent MPs were not present in the House. Though the opposition lost the vote on this motion, it can not be denied that such a move by the opposition had an educative value for the Members of Parliament in general since it brought an opportunity for all the Members of Parliament to learn the art of an important parliamentary mechanism.²⁴

Motion for Adjournment

Opposition in the fifth JS remained active in moving adjournment motions which is often regarded as an important legislative weapon in the hands of the

opposition to keep the party in power continuously alert in front of the vigilant eyes of the legislators. Rule 61 of the Rules of Procedure of the Parliament provides that a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of recent and urgent public importance may be made with the consent of the Speaker.²⁵ In the Table 4.3 the list of adjournment motions by the opposition in the fifth JS are shown. It can be seen from the table that a total of 1803 notices were received till the thirteen

Table 4.3

List of Adjournment Motions (Rule-62) in the Fifth Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notices
First	180	2	178	2
Second	61	0	61	0
Third	149	1	148	1
Fourth	249	1	248	1
Fifth	88	14	74	0
Sixth	17	0	17	0
Seventh	129	0	129	0
Eighth	295	4	291	0
Ninth	77	22	55	15
Tenth	96	4	92	1
Eleventh	158	2	156	1
Twelfth	116	7	109	6
Thirteenth	175	11	164	11
Total	1803	68(100%)	1739	38(55.88%)

Source: Compiled by the researcher from Hasanuzzaman, Al Masud, *Role of Opposition in Bangladesh Politics*, Dhaka: UPL, 1998, p. 153, and Parliament Secretariat, Dhaka, 2008.

sessions, of which 68 were accepted by the House. Out of these accepted notices, 38 were tabled by the opposition members. That is 19 MPs from the Awami League tabled 25 motions; 5 Jamat-i-Islami MPs raised 6 motions; one National Democratic Party (NDP) member raised 3 motions; one MP each from Workers Party, Jatiya Samajtantrik Dal (JSD) and Jatiya Party raised the rest 3 motions. 25 adjournment motions raised by the Awami League MPs

included the following issues: protesting Golam Azam's selection as the formal chief of Jamat-i-Islami; maintenance of Haji camp; police raid on the people while observing Independence Day on March 26 and the Bengali New Year; raid by *Islami Chatra Shibir* at Rajshahi University; condition of medical colleges in the northern region of Bangladesh; hoisting a national flag at the Washington embassy; trafficking of women and children; establishment of illegal dam; mismanagement in land record system and disrespect for national flag. 5 Jamat-i-Islami MP raised 7 adjournment motions included the following issues: Ferry problem at *Aricha Ghat* and Communication system; Haji camp maintenance; National Bank loans; police raid on the masses during observance of Independence Day; injurious effects of radiation of x-ray machine; closing the shrimp cultivation project and women trafficking. National Democratic Party's (NDP) 3 notices incorporated the following issues: maintenance of Haji camp; repression by police on the masses during the Independence Day and the killing of 4 Bangladeshi citizens by the Indian BSF at Meherpur border. The rest 3 motions of the Workers Party, JSD and Jatiya Party, respectively were: clash of two student groups at Dhaka University; police attacked on the people at the Independence Day and women trafficking.²⁶

Calling Attention to Matters of Urgent Public Importance

Another parliamentary device commonly used by the opposition is calling attention to matters of urgent public importance. According to Rules of Procedure of Parliament of the Peoples Republic of Bangladesh (Rule-71), any member may, with the permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.²⁷ During the fifth JS, there were 251 calling attention notices raised by the opposition in the House as can be seen from Table 4.4. Of the 251 opposition notices, 155 were raised by the Awami League, 56 by Jamat-i-Islami, 19 by Jatiya Party, 7 by Workers Party, 7 by *Islami Oikya Jote*, 4 by CPB, 2

Ganatantri Party, 1 by JSD and 4 by NDP. The issues which were raised included among others, the following: Indians occupation of Bangladesh's *Talpatti* island; damage of food grains at Sunamganj; drought and supply of diesel for water pump machines in certain places; killing of *Bawalis* by tiger at the Sundarbans; flood at Maulavibazar district; environment pollution at Dhaka city; problems of Khulna Medical College; the country river erosion problem; Dahagram-Angarpota enclave issue between Bangladesh and India; Guccho

Table 4.4

List of Calling Attention to Matters of Urgent Public Importance (Rule-71) in the Fifth Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	364	15	349	11
Second	444	19	425	19
Third	290	13	277	10
Fourth	833	44	789	28
Fifth	169	09	160	07
Sixth	626	67	559	36
Seventh	526	47	479	26
Eighth	529	55	476	38
Ninth	157	12	145	09
Tenth	307	23	285	17
Eleventh	246	22	225	14
Twelfth	320	18	302	14
Thirteenth	345	32	313	22
Total	5,156	377 (100%)	4,784	251(66.58%)

Source: Compiled by the researcher from Hasanuzzaman, Al Masud, *Ibid*, p. 156, and Parliament Secretariat, Dhaka, 2008.

Gram programme; sending of Bangladeshi workers to Kuwait; construction of Barisal-Bhola road; impact of Farakka on Bangladesh and rural electrification at Bhola and Bogra districts.²⁸

Discussion on Matters of Urgent Public Importance for Short Duration

Another important legislative device in the hands of the opposition in the parliament had been the discussion on matters of urgent public importance for short duration. Rule 68 of the rules of Procedures of Parliament of the Peoples Republic of Bangladesh provides that any member desirous of raising discussion on matters of urgent public importance may give to the Secretary, not less than two days before the date on which he intends to raise the discussion, notice in writing supported by the signatures of at least five other members clearly specifying the matter to be raised.²⁹ Table 4.5 shows opposition participation on the discussion of urgent public importance for short duration in the fifth *Jatiya Sangsad*. Among the 65 opposition notices, 39 were raised by Awami League, 12 by Jamat-i-Islami, 6 by Jatiya Party, 5 by workers party and the rest 3 by NDP. The following issues were raised by the

Table 4.5

***Discussion on Matters of Urgent Public Importance for Short Duration
(Rule- 68) in the Fifth Jatiya Sangsad and Opposition Participation***

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notices
First	57	6	51	4
Second	118	11	107	9
Third	57	6	51	6
Fourth	87	9	78	9
Fifth	26	1	25	1
Sixth	24	3	21	2
Seventh	30	6	24	5
Eighth	55	8	47	7
Ninth	28	6	22	6
Tenth	86	5	81	5
Eleventh	65	5	60	5
Twelfth	49	3	46	3
Thirteen	92	0	92	0
Total	806	85 (100%)	721	62(72.94%)

Source: Compiled by the researcher from Hasanuzzaman, Al Masud, *Ibid*, p. 157 and Parliament Secretariat, Dhaka, 2008.

opposition: water logging at *Bildakatia*; employment of the Bangladeshis returned from Kuwait; fish cultivation in reserved tanks; closing of Chittagong University; river erosion at Faridpur; lack of sufficient beds at the Pabna Central Hospital; food deficiency in the northern region of Bangladesh; Rohingya refugee problem; Mongla port scandal; price hike of essentials; Bosnia-Herzegovina issue; mobility in the banking sector; problems of the country's poor peasants; assaults on opposition Chief whip by police; poverty reduction program and assault on teachers by the students of Jahangirnagar University.³⁰

Half-an-Hour Discussion

During the fifth *Jatiya Sangsad*, the opposition MPs duly participated in the half an hour discussion. As per Rule 60 of the Rules of Procedure of Parliament of the People's Republic of Bangladesh, the Speaker may on three clear days notice in writing being given by a member to the Secretary, allot half-an-hour on two sittings only in a week for discussion on a matter of public importance, which has been subject of recent question, starred or unstarred and the answer which need elucidation.³¹ In the fifth parliament, the House received 133 notices for half an hour discussion, of which 121 were dismissed and only 12 were accepted. All the accepted 12 notices were raised by the opposition members of the parliament.

Motion of Special Privileges

According to Rules of Procedure of Parliament (Rules-164), the Members of the Parliament can raise Special Privileges Motions in the House. In the fifth JS, 1078 notices were received by the House with regard to special privileges of the members. The House accepted 205 notices of which 152 were raised by the opposition members. Table 4.6 illustrates opposition notices in regard of committees on special privileges of the MP's; and treatment of former-President H. M. Ershad. Apart from these formal procedures, parliamentary

Table 4.6

List of Special Privileges Motions (Rule-164) in the Fifth Jatiya Sangsad and opposition participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	54	-	54	-
Second	190	23	167	15
Third	82	17	65	15
Fourth	127	12	115	9
Fifth	28	4	24	3
Sixth	129	15	114	9
Seventh	74	10	64	7
Eighth	134	39	95	35
Ninth	34	9	25	7
Tenth	41	10	31	9
Eleventh	62	3	59	3
Twelfth	70	42	28	39
Thirteenth	29	5	24	4
Total	1078	205 (100%)	873	155(75.61%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

standing committee is one of the most important vehicles through which the opposition acted to hold the government accountable.

Committee System

The committee system in the parliament helps the people's representatives to review the actions of the government and also serves as forums for legislative negotiation of the competing parties. Thus the committee system serves as watchdog over government functions, ensuring transparency and accountability. The JS of Bangladesh has had a new beginning since the restoration of the parliamentary system by the fifth JS on the basis of consensus in September 1991. Parliamentary committees constituted in recent years have assumed special significance. One of the significant characteristics of the fifth JS had been to activate its committee structure.³² The fifth JS had 53 standing committees and 63 subcommittees. Table 4.7 shows the broad categories of standing committees in the fifth JS. The parliamentary committees met about

regularly with the consequent effect of communication gap and coordination problem. There was a tendency on the part of the Ministers not to accept charges of irregularities in their respective departments in many instances, opposition viewpoints were not given due consideration. On many occasions, the committees failed to prepare unanimous resolution, because of indecision and opposing views of the members of government and opposition. Thus far we have discussed the mechanisms through which the opposition performs its role for ensuring the accountability of the government. When the opposition fails to do so constrained by the ruling party, it resorts to walkout from the parliament.

Walkouts by the Opposition

Walkout by the opposition and the independent Members of Parliament is one of the important features of the fifth *Jatiya Sangsad*. Due to lack of agreement

Table 4.8

List of Walkouts by the Opposition MPs in the Fifth Jatiya Sangsad

SL. No.	Name of Party	Walkouts (Times)
1	Awami League	36
2	Jatiya Party	27
3	Jamat-i-Islami	13
4	CPB	09
5	JSD	08
6	Workers Party	05
7	NAP(Mozaffar)	06
8	Ganatantri Party	09
9	IOJ	05
10	Independents	13
	Total	131

Source: Bulletin of the Fifth *Jatiya Sangsad* (Session: 1-22), Parliament Secretariat, Dhaka.

of passing bills in the JS, the opposition members of parliament walked out. Table 4.8 shows the list of walkouts by the opposition MPs in the fifth JS.

Table 4.7

Broad Grouping of the Standing Committees in the Fifth Jatiya Sangsad and Opposition Participation

Ministerial Committees	Finance and Audit Committees	Other Standing Committees	Select Committees	Total
Standing Committees on each Ministry	Committees on Public accounts; Estimates; and Public Undertakings	Committees on Business Advisory; Special Privileges; Government Assurances; Private Member's Bill; House; Rules; Petition; and Library	Committees on Certain Specific Subjects	
35	3	8	7	53

Source: Compiled by the researcher from Hasanuzzaman, Al Masud, 1998, *op. cit.*, p. 160, and Parliament Secretariat, Dhaka, 2008.

1300 times with satisfactory presence of members both from the government and opposition. But submission of reports by the committees was far from satisfactory. Unlike the developed parliamentary systems, e. g. Britain and Australia, all the standing and financial committees of Bangladesh's JS were headed by Ministers which hampered the process of demanding accountability from the executive. Moreover, some important committees of the fifth JS failed to perform appropriate role due to lack of consensus between the treasury bench and the opposition.³³

With regard to the committee system of the fifth JS, because of inadequacies in the Rules of Procedure of the JS, the parliamentary standing committees could not be made effective. The neutrality of the committees had been greatly impeded due to Speaker and the Minister's occupying the chairmanship of all the standing committees. The MP's belonging to the opposition bench should be co-opted as committee chairs, especially in finance and audit committees like in the UK, to ensure legislative vigil over the executive. Several opposition MP's complained that due to multifarious pre-occupation of the concerned Ministers, the meetings of the standing committees were not convened

regularly with the consequent effect of communication gap and coordination problem. There was a tendency on the part of the Ministers not to accept charges of irregularities in their respective departments in many instances, opposition viewpoints were not given due consideration. On many occasions, the committees failed to prepare unanimous resolution, because of indecision and opposing views of the members of government and opposition. Thus far we have discussed the mechanisms through which the opposition performs its role for ensuring the accountability of the government. When the opposition fails to do so constrained by the ruling party, it resorts to walkout from the parliament.

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8	Ganatantri Party	09
9	IOJ	05
10	Independents	13
	Total	131

Source: Bulletin of the Fifth *Jatiya Sangsad* (Session: 1-22), Parliament Secretariat, Dhaka.

of passing bills in the JS, the opposition members of parliament walked out. Table 4.8 shows the list of walkouts by the opposition MPs in the fifth JS.

Since the commencement of the fifth JS on 5 April 1991 till March 1994, the parliamentary opposition parties either singly or jointly staged walkouts 60 times with some turned into boycott. During the thirteenth session of the fifth JS, a comment of the then Information Minister greatly agitated the opposition. In his speech, the Minister attacked the opposition MPs as 'neo-Muslim'; pushing them to walkout. This walkout turned into boycott and 28 December 1994, the opposition members resigned *en masse*. Up to the end of the fifth JS, the House was without opposition. While walkout is a formal option to the opposition for protesting the behaviour of the treasury bench, boycott is an extra parliamentary mechanism the opposition counts on as a last refuge.

Boycotts by the Opposition

Among the 400 working days of the fifth *Jatiya Sangsad*, the main opposition AL boycotted the House for 135 working days. Table 4.9 illustrates the feature of boycott by the opposition MPs in the fifth JS. First boycott was occurred on 7 April 1991. The main argument of the opposition behind this boycott: the opposition leader Sheikh Hasina's serial number was listed 6 in the serial of the Business Advisory Committee. The main opposition Awami League boycotted from the House for 8 working days both in the sixth and seventh sessions of the fifth JS. From the Thirteenth session to the last working day of the twenty second session of the fifth JS, the opposition completely boycotted 119 working days from the House. Thus permanent boycott of the parliament reduced the tenure of fifth parliament, debilitating its effective working. With the boycott, the opposition lost its significance in the legislative process, while the role of opposition inside the JS is a key to an effective functioning of the parliament.³⁴

Table 4.9

List of Boycotts by the Opposition MPs in the Fifth Jatiya Sangsad

Sessions	Total Working days	Present (Days)	Boycott (Days)
First	22	22	-
Second	43	43	-
Third	14	14	-
Fourth	27	27	-
Fifth	06	06	-
Sixth	41	33	08
Seventh	20	12	08
Eighth	32	32	-
Ninth	05	05	-
Tenth	31	31	-
Eleventh	12	12	-
Twelfth	14	14	-
Thirteenth	19	14	05
Fourteenth	06	-	06
Fifteenth	25	-	25
Sixteenth	10	-	10
Seventeenth	21	-	21
Eighteenth	18	-	18
Nineteenth	04	-	04
Twentieth	17	-	17
Twenty 1 st	10	-	10
Twenty 2 nd	03	-	3
Total	400 (100%)	265(66.25%)	135(33.75%)

Source: Bulletin of the Fifth *Jatiya Sangsad* (Session: 1-22), Parliament Secretariat, Dhaka.

Apart from its formal role inside the legislature, the opposition outside the parliament adopted some techniques which were indirectly influenced by the government policies.

Opposition outside the *Jatiya Sangsad*

From the early 1992, the main opposition Awami League became very vocal on the streets and started anti-government slogans to realize the following demands: establishing the four fundamental state principles as enunciated in the original Constitution of 1972; banning the politics of fundamentalist Jamat and Shibir; implementing the verdict of the Gana Adalat (People's Court) on Jamat

leader Golam Azam. Awami League greatly resorted to street agitations in order to pressurize the government for repealing the Indemnity Ordinance and passing the Repeal Bill which was moved in the House by the opposition chief whip Md. Nasim on 8 August 1991. Awami League simultaneously organized a greater movement against the proclamation of the anti-terrorist ordinance on 27 October 1992. The opposition leader Sheikh Hasina termed the ordinance as an anti-opposition move promulgated only to harass the opponents of the regime.³⁵

Victory of the government candidate in the Magura by-elections was the turning point of the opposition movement outside the *Jatiya Sangsad*. Three major opposition parties e. g. Awami League, Jatiya Party and Jamat-i-Islami discarded the by-election results and accused the government's 'massive rigging' through direct administrative intervention and manipulation. As a mark of protest Awami League and Jatiya Party observed half-day *hartal* on 23 March, 1994 all over the country and *gheraoed* the secretariat and the Bangladesh Election Commission on 7 April 1994 and reiterated their decision of boycotting the *Jatiya Sangsad*. The foreign mediators came forward and tried to solve the political deadlock through dialogue. Commonwealth Secretary General, Chief Anyoaku and subsequently Sir Ninian Stephen came to Bangladesh as the facilitator of the dialogue between the government and the opposition on the question of caretaker government. Being unable to convince both the opposition and the ruling party to agree to compromise formula, Sir Ninian formally gave up his mission. The ongoing movement of the mainstream opposition took a new turn with the announcement of its ultimatum to the government to accept the demand for the caretaker government and threatened that otherwise the opposition would resign *en masse*. The Speaker of the House on his own initiatives tried to mediate between the opposition and the ruling party but was unsuccessful. The mainstream opposition thus resigned *en masse* on 28 December 1994 keeping their JS boycott for 300 days and

created an unprecedented example in the parliamentary history of Bangladesh.³⁶

The political crisis was intensified due to arrest of some important opposition leaders and use of coercive measures by the ruling party against the opposition. The opposition launched a non-stop strike for an indefinite period from 9 March 1996. In an effort to solve the crisis, the then President arranged a dialogue between the opposition and the ruling party. But the dialogue was failed to bring any fruitful results. The opposition made accusations that the President was protecting the interest of the ruling party. Initiatives were also made from the leading organizations of the civil society for resolving the crisis with no positive results in sight.³⁷ The parliamentary democracy which was restored in Bangladesh in 1991 on the basis of consensus ushered in a new hope for the democratic transition of the country fell in jeopardy only after three years of its journey.

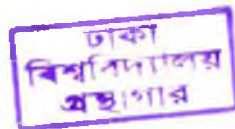
From the first to the thirteenth session of the fifth *Jatiya Sangsad*, the opposition duly participated in the law making process and in important parliamentary devices e. g. no-confidence motion, adjournment motions, calling attention to the matters of urgent public importance, discussion on the matters of urgent public importance for short duration, special privileges motions and the participation in the committee system. Besides participation in the important parliamentary mechanism (from first to thirteenth session), the opposition staged walkouts and boycotts either singly or jointly from the parliamentary sessions. But from the thirteenth session the opposition's walkout turned into boycott and on 28 December 1994 the opposition Members of Parliament resigned *en masse* from the *Sangsad* and up to the end of the fifth *Jatiya Sangsad*, the House was without opposition. Rules of Procedure of Parliament of Bangladesh permitted the opposition MPs walkout from the parliamentary session; but boycott and *en masse* resignation from the *Sangsad* is non-parliamentary behaviour of the opposition which impeded the journey of

parliamentary democracy of the country. For the sake of democratic enhancement of the country the boycott from the House should be avoided.³⁸ The opposition in the fifth JS tried to realize their demands through the extra-constitutional means like boycott and *en masse* resignation from the House and street movement against the government. Non-democratic behaviour of the opposition even after the re-introduction of parliamentary democracy in the country contributed to the violent *modus operandi* outside the *Jatiya Sangsad*. Lack of trust and tolerance of the opposition towards the party in power sometimes rendered the violent process and street movement and in extreme cases total non-cooperation against the government. The opposition in the fifth JS made accusations that the government did not allow them to perform their appropriate role inside the JS; that is why they arranged agitation programme and launched street movement against the government. On the contrary, the ruling party made the counter-accusations against the opposition that they did not cooperate with the government in the policy making process and sometimes the opposition opposed the government only for political reasons. Mutual tolerance and open-mindedness among the major political parties (both the opposition and the ruling party) and their pro-democratic activities inside and outside the *Jatiya Sangsad* can contribute to the proper functioning of parliamentary democracy in the country.

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Chapter 5:
**Role of Opposition in Formalizing Non-Party
Caretaker Government (1995-1996)**

Role of Opposition in Formalizing Non-Party Caretaker Government (1995-1996)

In the previous chapter, I have discussed about how the opposition acquainted with parliamentary rules of the game. It further took into cognizance of the fact that only compliance of the parliamentary rules of the game did not bind both the ruling and the opposition party to work together. For meaningful role inside the *Jatiya Sangsad*, they must be trustworthy to each other. This chapter pulls the discussion away from the previous one and tries to seek answer how far parliamentary culture has been internalized. In addition, to what extent the meaningful cooperation between the ruling and the opposition has made progress.

Bangladesh is familiar with representative politics and elections much longer than many other developing countries. During the pre-independence days, the elections of 1954 and 1970 were widely acclaimed as fair polls having significant impacts on the people's movements which ultimately led to the emergence of sovereign Bangladesh in 1971.¹ In the post-independent Bangladesh (1971-2006), eight parliamentary elections have been held. Among them, five elections (first, second, third, fourth and sixth) were held under party governments and the rest three elections (fifth, seventh and eighth) were under Non-party Caretaker Government. Probably the most important reason underlying the introduction of the provision for NCG was the belief that it can ensure the holding of elections in a fair and credible manner. Between 1975 and 1990, the country remained under absolute military rule for eight years. Two military strongmen who dominated Bangladesh politics during the period respectively set up the Bangladesh Nationalist Party (BNP) and Jatiya Party (JP) as part of their strategy to civilianize their rule and restore democratic process. BNP and JP respectively won the second, third and fourth *Jatiya Sangsad* elections which were charged with manipulating the electoral process. In fact, the violent strategy adopted by JP destroyed the credibility of the whole

electoral system. All the opposition parties boycotted the fourth *Jatiya Sangsad* election held in March 1988, three months after the third JS was dissolved prematurely under the opposition pressure.²

Opposition's demand for Non-party Caretaker Government

Opposition formula for the formation of Non-party Caretaker Government was categorically mentioned in the Joint Declaration of the Three Party Alliances in November 1990. The Declaration specified *inter-alia* that the political alliances would participate in the elections only when conducted by a neutral Non-partisan Caretaker Government; but before that Ershad government would have to be forced to resign and an interim Caretaker Government would be formed; the prime responsibility of that government will be to ensure holding of a free and fair election to a sovereign parliament within three months; the head of the Non-party Caretaker Government will be non-partisan and neutral; the Caretaker Government will only run the routine administration and will reconstitute the Election Commission with a view to holding of free and fair elections.³ A mass movement against the Ershad regime took place in November-December 1990 and he resigned on 6 December 1990.

General Ershad appointed the (then) Chief Justice Shahabuddin Ahmed as Vice-President and handed over power to him on 6 December 1990. The fall of the Ershad regime marked the beginning of a new pattern of democratic politics in the country. Shahabuddin Ahmed was earlier nominated by the three alliances as a consensual candidate to head the caretaker government needed to oversee the transition from authoritarianism to democracy. The Shahabuddin NCG adopted a series of measures to hold the fifth *Jatiya Sangsad* elections in a free and fair manner. There was widespread consensus that the NCG ensured a level playing field to different parties contesting in the elections. As a result, the fifth JS elections were widely acknowledged to have been held in a free, fair and impartial manner. The Shahabuddin NCG was extra-constitutional in

nature. The fifth JS passed the Eleventh Amendment to the Constitution in August 1991. The amendment also allowed Shahabuddin Ahmed to resume the duties and responsibilities of the CJ of Bangladesh after handing over the charge of the presidency to his successor.⁴

It may be mentioned that the non-party caretaker government of 1990 was constituted without any prior constitutional amendments. It was understandable that there was indeed a difficulty in convening the existing *Jatiya Sangsad* due to shortage of time. The non-party caretaker government of Justice Shahabuddin Ahmed, however, had the basis of support from the general people and parties and thus the legality of its activities was never questioned. All measures taken by the non-party caretaker government were thus subsequently ratified in 1991 by the popularly elected fifth *Jatiya Sangsad*.

Opposition's demands for formal-legal framework of Non-party Caretaker Government

In 1991, the restoration of parliamentary system on the basis of consensus marked a positive development in the country's democratic journey. But soon disagreements appeared on major national issues, mutual intolerance and lack of trust among the competing parties confirmed that the issue of non-party caretaker government became the central theme of Bangladesh politics only two years after the re-introduction of parliamentary democracy. The opposition through sustained boycott of the JS and frequent *hartals* forced the ruling party to accept their demand.

From the beginning of the fifth JS, the opposition parties began to create pressure on the BNP government so that it includes the provision for non-party caretaker government in the constitution. Three separate bills were submitted by the Jamat-i-Islam, Awami League and Jatiya Party to the parliament secretariat in 1991, October 1993 and mid November 1993 respectively concerning the non-party caretaker government. The essence of these bills was

more or less similar, but differed on the selection of the head of the caretaker government. While Awami League was in favour of appointing the Chief Justice as the head of the interim government, Jatiya Party proposed for selecting a neutral person as the head of the caretaker government, and Jamat-i-Islami demanded for forming an advisory council headed by a neutral person to be appointed by the President. These bills, however, were not placed in the *Jatiya Sangsad* because of opposition boycott of the *Sangsad* and government's reluctance to consider the case. This made the three major opposition parties to come closer and materialized their caretaker demand through agitation and *hartals*. Every bill contained the same objective: to make the general elections free and fair and to make the whole process of election free from the government influence, provision for non-party caretaker government should be introduced in the constitution. But this demand of the opposition parties was treated by the government as unconstitutional and illegal.⁵

By-elections and Opposition's demand for Non-party Caretaker Government

The opposition's anti-government movement gained momentum when the by-elections of vacant parliamentary seats took place in early 1994 and especially after the Mirpur by-election. It was noticed that both the opposition and the government deployed every effort to capture this seat which eventually turned into a prestige issue between the main two parties. The Awami League which was able to retain the seats in the by-elections at Mymensingh-3 and Rajbari-1 constituencies and give a marvelous show in the city corporation polls, the capturing of the Mirpur seat gave a political and psychological victory for the party over its rival BNP. The Election Commission declared the official results of Mirpur by-election about 18 hours after the state controlled media gave the government candidate a clear victory.⁶ Criticizing the incident Awami League rejected the results of the polls and demanded fresh election.

The Magura by-election was the turning point for the demand of non-party caretaker government. In the Magura by-election, the ruling party BNP took an unprecedented malpractice and rigging. Before the Magura Election, all the opposition parties made walkouts from JS in protest of a statement made by at that time Information Minister Nazmul Huda concerning the Hebron killing issue of Israel. The opposition made commitment that they would not return to parliament if the Information Minister did not expunge his statement. This boycotting of parliament due to Magura election malpractices provided an extra strength and the opposition parties got their direct way of demanding that they would not go back to parliament till a 'caretaker government' bill was introduced in the House.⁷ The government did not pay heed to this demand.

It was a prestige issue for the BNP since it was defeated by the Awami League in the city corporation polls of Dhaka and Chittagong. The Magura-2 constituency was a safe seat for the Awami League for over a long period of time along with the supports of the minority voters comprising 40 percent of the electorate there. Victory of the government candidate in this constituency however, came as a surprise to the opposition parties and they questioned the neutrality of the Election commission. Thus, all the three major opposition parties, Awami League, Jatiya Party and Jamat-i-Islami promptly discarded the election result and accused the government committing 'massive rigging' through open intervention of administration and 'hoodlums'. They charged the party in power of 'deceiving the voters and killing democracy by holding a mock election'. The Awami League leaders demanded the cancellation of the controversial by-election within the seven days and as a mark of protest, Awami League and Jatiya Party observed a half-day *hartal* on 23 March 1994 all over the country. On 7 April, both the Awami League and the Jatiya Party *gheraoed* the secretariat and the Bangladesh Election Commission and reiterated their decision of boycotting the parliament and attacked the ruling party for its total failure in running the affairs of the country. The opposition, through its various agitation programs, tried to project the autocratic image of

the BNP government which to Awami League, was even worse than General Ershad's army rule.⁸

Political atmosphere was getting warm when all the three major opposition parties, Awami league, Jatiya Party and Jamat-i-Islami intensified their united movement to achieve their demand for holding free and fair elections under a neutral caretaker government. Earlier AL, JP and JI prepared three separate bills containing caretaker proposal to be placed in the *Jatiya Sangsad*. Simultaneous attempts were also made to frame a single bill on the issue from the opposition side. A committee was formed comprising the leaders of the opposition parties headed by the deputy opposition leader of the House, Abdus Samad Azad. Although the opposition demands for caretaker government was first initiated in the *Sangsad* Secretariat, yet, due to parliament boycott, this movement was taken to the streets.⁹

In its anti-government movement the major opposition Awami League joined hands with the fallen autocratic Ershad's Jatiya Party and the fundamentalist party Jamat-i-Islami. Jatiya Party organizing anti-government movement, demanded release of its detained leaders, General Ershad declared that its ongoing agitation would continue till the BNP government was ousted from power. Jamat-i-Islami, which extended vital support to BNP in forming the cabinet, gradually lost its grip over the ruling party. Jamat-i-Islami was increasingly dissatisfied with BNP and the government's ungrateful gesture towards its various political demands including legally rehabilitating Jamat Ameer Golam Azam in Bangladesh

Political deadlock and Commonwealth Negotiation

Rigid attitude of both the government and the opposition thus created a political deadlock. In such a situation, the foreign mediators came forward and tried to solve the crisis through dialogue. For example, Commonwealth Secretary General, Chief Emeka Anyoaku offered a formal dialogue which was

accepted by both the government and the opposition. Subsequently, Sir Ninian Stephen came to Bangladesh in October 1994 as the facilitator of the Commonwealth-brokered dialogue between the government and the opposition on the question of non-party caretaker government. In the commencement of the dialogue, both the ruling party and the opposition began to project their rigid position. Several rounds of dialogues proved a futile exercise as both sides kept their uncompromising attitude. Thus, Sir Ninian Stephen's attempts to steer the dialogue and overcome unmitigated deadlock did not produce tangible results. The Awami League-led opposition parties instantly rejected the formula of an evenly-balanced inter-parliamentary party's interim government as advanced by the party in power.¹⁰ Being unable to convince both sides to agree to a compromise formula, Sir Ninian formally gave up his mission. After Ninian's departure the opposition movement still continued.

***En masse* Resignation by the Opposition**

The ongoing movement of the mainstream opposition took a new turn with the announcement of its ultimatum to the government to accept the demand for the non-party caretaker government and threatened that otherwise the opposition would resign *en masse*. The ruling party moved the boycott issue before the High Court. But the High Court's declaration of opposition's boycott as unconstitutional with directions to join the JS was not heeded by the mainstream opposition. The initiative of the government to enact a bill for strengthening the Election Commission on 1 December 1994 was again criticized by the opposition. With the approach of the final date of the opposition's ultimatum, the speaker on his own initiative, tried to mediate between the opposition and the ruling party but was unsuccessful. The mainstream opposition thus resigned *en masse* on 28 December 1994 keeping their parliament boycott for 300 days and creating an unprecedented example in the world's parliamentary history.¹¹ The parliamentary democracy of Bangladesh which was restored in 1991, thus fell in jeopardy only after three

years of its journey. When the government proceeded to hold by-election in 142 vacant seats the political impasse took more outrageous condition leading to continuous country-wide strike.

Opposition's Confrontation Intensifies

The crisis was intensified due to the arrest of some important opposition leaders, use of coercive measures and deployment of security forces on the streets apparently against the opposition. The opposition made protest and raised the following demand: release of opposition legislators and activists by March 9 and withdrawal of false cases; cancellation of election results; resignation of the BNP government; formation of a non-party caretaker government and completion of general elections by May 1996. The government's negative attitude towards these demands, the opposition from 9 March 1996 launched a non-cooperation program in the form of general strike for an indefinite period. The opposition leader opined that the question of legitimacy of the sixth *Sangsad* could be resolved if the President of the Republic had sought a reference on the issue from the Supreme Court.¹²

During this time another effort was made by the President to end the crisis and arranged a meeting of the dissenting parties on 15 March 1996. During the dialogue, besides the opposition's non-stop strike, pressures were also made from the leading organizations of the civil society for an immediate resolution of the crisis. The President's discussion with the dissenting parties, which was considered as the last hope, failed to bring any fruitful results. The opposition made accusations that the President was in fact protecting the interest of the ruling party and opposition declared to continue its non-cooperation movement till the demands were materialized.

The opposition's non-stop strike created sufferings of the people across the country. Sporadic clashes and terrorist activities were also occurred in some parts of the country. Despite opposition agitation, the government was seen to

be determined to realize its plan and thus the President summoned the *Sangsad* on 19 March, 1996 and a bill, seeking constitutional provision for a non-party caretaker government for holding general elections, was placed before the House. During the tenure of only four days of the sixth *Jatiya Sangsad* passed the Thirteen Amendment to the Constitution on 26 March, 1996.¹³

As part of the ongoing movement, the Awami League set up the '*Janatar Mancha*' in Dhaka and other major cities of the country. The overall situation went out of ruling party's control. The condition further deteriorated when a number of senior civil servants started abstaining from their official function and expressed solidarity with the opposition demand. Under tremendous opposition pressures, the BNP government decided to dissolve of the sixth JS on 30 March 1996. The two year long political deadlock came to an end by the formation of a caretaker government headed by former Chief Justice, Justice Muhammad Habibur Rahman.

Sixth *Jatiya Sangsad* and Role of Opposition in the Constitutional Change

The dissolution of the *fifth Jatiya Sangsad* on 24 November 1995 did not bring an end to the opposition's street agitation programme. The sixth JS elections were scheduled on 15 February 1996. The ruling BNP proceeds to contest the elections with sudden hand-picked parties. But since the government did not pay any heed to the demand of non-party caretaker government by the opposition, all the opposition parties boycotted the elections of the sixth JS. The scale of violence reached its height during the election-day. Voting could not be held in ten constituencies because of violence. The rate of voter turnout was also extremely low. The BNP won a landslide victory, won an incredibly large number of seats (289). Independent candidates won 10 seats and freedom party won one seat. But in the context of the opposition boycott, elections to the sixth JS caused a serious legitimacy crisis for the BNP government headed by Begum Khaleda Zia. All the opposition parties considered the sixth JS as

illegitimate and launched their country-wide non-cooperation movement and demanded the fall of the government as well as the dissolution of the sixth JS. Widespread political crises compounded the crises in economic management. The government thus decided to move in the sixth parliament a constitutional amendment bill providing for holding parliamentary elections under the Non-party Caretaker Government in the future. The bill on Non-party Caretaker Government (the Thirteenth Amendment to the Constitution) was moved by the then Law Minister Barrister Zamiruddin Sirkar on 21 March 1996 at the first session of the sixth JS. The House passed it at dawn on 26 March; while the President assented to the bill on 28 March.¹⁴

The enactment of the bill for Non-party Caretaker Government, however, did not lead to the suspension of violent activities of the opposition. To the contrary, the opposition further intensified its street agitation programme demanding the government resignation immediately and handed over power to the Non-party Caretaker Government. The anti-government activities got a major boost when government officials seriously objected to the legitimacy of the government and pledged their support to the opposition movement. Different civil society and NGO's also extended support to the opposition parties. A large number of officials at different levels of government openly expressed solidarity with the opposition's movement for the fall of government. Many officials also joined the *janatar mancha* erected by Bangladesh Awami League leaders and supporters under the leadership of Dhaka City Mayor, Mohammad Hanif. Begum Khaleda Zia found it was impossible to run the government; she resigned on 30 March 1996 and the sixth JS after seven days of its life was dissolved. The following day a non-party caretaker government was formed headed by Habibur Rahman, last retired Chief Justice of the Supreme Court.¹⁵

Thirteenth Amendment to the Constitution and Legislation of Non-party Caretaker Government

The election of the sixth *Jatiya Sangsad* was held on 15 February 1996 amidst political violence. Begum Khaleda Zia was re-elected leader of the House and appointed as Prime Minister on 18 March 1996. A few days before convening the maiden session of the parliament on 19 March, the President met different groups of people such as leaders of the main political parties which had represented in the fifth parliament, constitutional experts, three former Chief Justice and senior lawyers of the Supreme Court seeking their opinion on the formation of the Non-party Caretaker Government. The major parties insisted that the President promulgate an ordinance providing for the setting up of the Non-party Caretaker Government; they did not want the sixth parliament to enact a bill on the Non-party Caretaker Government as they considered it 'illegal'. Sheikh Hasina requested the President to make a reference to the Supreme Court, seeking its opinion on the possibility of canceling the 15 February election and the formation of a Non-party Caretaker Government to hold elections afresh to the sixth parliament. But the President observed that his authority to form a Non-party Caretaker Government without reference to the sixth parliament was restricted. The Cabinet in a special meeting on 20 March 1996 approved the bill of Non-party Caretaker Government.¹⁶

Barrister Zamiruddin Sirkar appointed law minister in the second Khaleda Zia government (19 March 1996 - 30 March 1996), moved in the parliament a bill on Non-party Caretaker Government on 21 March 1996. The objects and reasons as stated in the bill, were as follows: whereas it is expedient to make further amendment in the Constitution of the People's Republic of Bangladesh for the object of constituting a Non-party Caretaker Government in order to assist the Election Commission in holding free, fair and impartial general election of members of parliament, as well as performing the functions conferred on it under the Constitution, this bill is introduced by virtue of

article 142 of the Constitution for the amendment of the relevant provisions thereof with a view to achieving the above object.¹⁷

The bill provided for amending articles 48, 56, 57, 58, 61, 72, 92 and 99 to the Constitution. The most important amendment proposed in the bill was to insert a new chapter (2A) in the Constitution, specifying the composition, power and functions of the Non-party Caretaker Government. The amendment required the Non-party Caretaker Government to hold elections in 90 days from the date of the dissolution of the sixth parliament. The BNPPP had a three hour discussion on the bill on 23 March 1996, two days after the bill was introduced in the House. A total of 22 members discussed different aspects of the bill in the meeting of the BNPPP. While all of the members agreed that the bill should be passed as soon as possible, they however differed on several issues particularly on proposals relating to the composition of the Non-party Caretaker Government and the means of implementing the bill.¹⁸

The second reading took place on 24 March 1996 when the members had an opportunity to have a general discussion on the bill and to examine in detail its principles. Besides the BNP members, several independent MPs and the single member of the Freedom Party-Abdur Rashid Khondakar also took part in the discussion on the bill. In his policy planning speech, while introducing the motion for a general discussion on the bill, the law minister said: "The bill will be absolutely in the impersonal functioning of the state. We haven't introduced this bill to satisfy anyone or any party. We are proposing an Non-party Caretaker Government so that elections can be free and fair and no one can say (in the future) that elections have been rigged".¹⁹

The select committee, headed by law Minister, was composed of nine other members: Barrister Abdus Salam Talukder, Barrister Rafiqul Islam Mia, Harun-Al-Rashid, Khalilur Rahman, M. K. Anwar, Khondakar Mahbubuddin Ahmed, Barrister Ziaur Rahman Khan, Shafiqur Rahman Kiron and Ebadur

Rahman Chowdhury. The select committee made several important amendments in the original bill. While it did not suggest any major change in the composition and powers of the Non-party Caretaker Government, the select committee proposed for curtailing the power of the President in one important respect. In contrast to the original bill providing for granting the President discretion to appoint a prominent citizen as the head of the NCG should be retired Chief Justice or Judges of the AD refused to accept it, the select committee suggested that the President should make such appointment in consultation, as far as possible, with leaders of the main political parties.²⁰

The House resumed its sitting in the evening of 25 March 1996. Several members took part in the discussion on the select committee report. Barrister Nazmul Huda objected to the proposal for allowing the President to assume the responsibility of the Non-party Caretaker Government (as the last option), arguing that it contradicted the spirit of the non-party government. The Chief Adviser was required to be a nonpartisan person, while a President elected by the party MPs. Substantial disagreements among the members could be noticed on two other important issues: whether the President should assume the charge of the Non-party Caretaker Government as proposed in the original bill and retained in the select committee report or that of the Chief Adviser of the Non-party Caretaker Government; and secondly, if the President actually assumed the charge of the Chief Adviser as the last resort, should he still be required to take a new oath.²¹

After long deliberation the bill was taken up for consideration at 3:50 am on 26 March 1996. The law minister moved the amendments in a chronological order, which were unanimously accepted by voice votes. As per the provisions of the Constitution, the Speaker had to organize division votes on the bill. 268 members voted for passing the Thirteenth Amendment to the Constitution bill 1996, with none against. The House was adjourned at 6:10 am, the bill was sent to the President for assent on 26 March. The Prime Minister met the President

on 27 March, requested him to assent the bill and to start the process of forming the Non-party Caretaker Government as soon as possible. The president complied with the request of the Prime Minister, assented to the bill on 28 March 1996. Begum Khaleda Zia resigned on 30 March 1996 and her government was dissolved and former Chief Justice Habibur Rahman was sworn in as Chief Adviser on 31 March 1996.²²

The primary responsibility of the Non-party Caretaker Government is to ensure an impartial administration and to build a congenial atmosphere in which the Bangladesh Election Commission can conduct the national elections peacefully, fairly and impartially. Each NCG adopted a number of measures to carry out its mandated activities. Different election-related activities undertaken by the Non-party Caretaker Government ensuring the credible elections since the re-introduction of parliamentary democracy in 1991 are: restoring law and order, reforming the BEC, modernizing election laws, reorganizing administration, educating the voters and providing access to the state-run electronic media.²³ Non-party caretaker Government is a very good system which introduced by the Thirteenth Amendment to the Constitution as per the opposition's demand. Non-party Caretaker Government should be continued unless the parliamentary democracy is reached to the sustainable height.²⁴

Each Non-party Caretaker Government faced a number of constraints that it found difficult to overcome because of legal and political difficulties. The party which loses in the elections rarely agreed to acknowledge the legitimacy of the winners. The habitual tendency of the two main parties accusing each other for manipulating elections still persists. Those failing to win an election often make the NCG liable for their defeat. In fact, parliaments elected under NCGs, notwithstanding their representative character, have remained virtually ineffective. Both the government and the opposition have a tendency to turn to the street and outside the JS to prove their strength rather than resolving

problems in a peaceful manner inside the JS. The two main parties accuse each other for making the JS ineffective. Mistrust, lack of democratic values, intolerant attitude and non-democratic behaviour of the main parties inside and outside the JS has contributed to these situations. The opposition complained that it was not allowed to speak in the *Sangsad*. The BNP raised this complains while it was in opposition in the seventh JS (1996-2001). The Awami League, main opposition in the eighth JS (2001-2006) also raised a similar complaint. On the other hand, the ruling party made counter accusation that the opposition did not cooperate with the government in the due legislative process. Frequent walkouts and prolonged boycotts by the opposition became a regular phenomenon of parliamentary politics in Bangladesh even after the elections were held under Non-party Caretaker Government since the re-introduction of parliamentary democracy in 1991. The role of radical tactic (non-cooperation) instead of dialogue played a key role, having deep imprint of mistrust on both the ruling and opposition parties.

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22. *Ibid*, p. 46.
23. *Ibid*, p. 63.
24. Interview taken with Professor AQM Badruddoza Chowdhury, Former President of the People's Republic of Bangladesh; Founding Secretary-General of BNP; Deputy leader of the House and foreign minister in the fifth JS; Deputy leader of the opposition in the seventh JS; Founding Chairman, Bikalpa Dhara Bangladesh; Interviewed on 16 October 2009 in Dhaka.

Chapter 6:
Role of Opposition in the Seventh *Jatiya*
***Sangsad* (1996-2001)**

Role of Opposition in the Seventh *Jatiya Sangsad* (1996-2001)

Despite a hiccup already discussed in the previous chapter, parliamentary democracy gained a fresh momentum through the seventh *Jatiya Sangsad* elections. With this election BNP emerged as the largest opposition party in the parliamentary history of Bangladesh. Since 1991, the seventh JS was the first parliament which completed its full term of five years. The present chapter describes the role and performance of opposition inside the *Jatiya Sangsad*. It has also discussed about the techniques adopted by the opposition outside the *Jatiya Sangsad* such as criticizing of the government activities and formation of public opinion regarding the issues of national importance of the country during 1996-2001.

The Seventh *Jatiya Sangsad* Elections and Major Political Parties

In the Seventh *Jatiya Sangsad* elections, a total of 81 political parties and 2,574 candidates contested for the 300 general seats of Parliament. Bangladesh Awami League, Bangladesh Nationalist Party and Jamat-i-Islami nominated the candidates of 300 constituencies respectively. Jatiya Party and Zaker Party nominated 293 and 241 candidates respectively. No other party could nominate candidates more than 200 constituencies. Thirty three political parties nominated only one candidate each. Ten political parties nominated 2 candidates respectively, while five political parties nominated 3 candidates respectively. The total numbers of independent candidates in the Seventh JS were 284.¹

Election Manifestoes

The Awami League election manifesto pledged to establish an exploitation free society, accountability and transparency in the administration. Army, Navy, Air force and Bangladesh Rifles were promised to be made well-equipped and the National Defence College founded aiming at strengthening the national

security and coordination between military and civil officials. The Awami League would administer foreign policy in the light of 'friendship to all, malice to none' as enunciated by Bangabandhu Sheikh Mujibur Rahman. Steps would be taken on priority basis to ensure the just share of Ganges water and water of other international rivers. Judiciary would be separated from the executive as per the basic principles of the constitution ensuring its independence to establish rule of law in the society. Awami League would extend full cooperation towards the farmers by providing fertilizers, seeds, insecticides and irrigation facilities. It would expand indigenous industries, creation of job opportunities and increasing production and exports. Human resources development was the key principles of AL and the education system would be totally recast in the light of the Kudrat-e-Khuda Education Commission report. Telecommunications will be developed and important bridge, roads and culverts be built to strengthen the rural economy.²

The BNP manifesto laid particular emphasis on poverty alleviation, rural development and a vibrant and effective private sector. The BNP pledged to take measures for upholding the independence of the judiciary to ensure the rule of law, to build a transparent and accountable administration, continue its endeavors to establish a corruption-free society and maintain the policy of free flow of information. Besides maintaining its liberal and free market economy, BNP would provide economic and revenue benefits to business, trade, garments and other industries. On the agriculture and farmers front, it pledged to ensure irrigation, supply of seeds and pesticides at fair prices and ensure fair prices of agricultural products. BNP pledged decentralization of administration and participation of the people in development activities and re-introducing Gram Sarkar. The party would formulate a national water policy, national health policy and update the national land policy.³

Jatiya Party in its election manifesto pledged to settle all outstanding issues with Pakistan and make diplomatic arrangement for the repatriation of the

stranded Pakistanis. JP would establish politics of unity in cooperation with people from all walks of life for meeting the future challenges. JP would not pass any law repugnant to the Holy Quran and Sunnah and the party would take initiative to amend the Constitution. JP would give utmost importance and priority to increasing national growth and economic development in running the administration and the state-craft.⁴

Jamat-i-Islami in its election manifesto pledged to make the Bangladesh an Islamic welfare state in the light of the *Quran* and *Sunnah*. Rich-poor discrimination would be eliminated; security of life and property, economic progress and social justice would be guaranteed. JI will make the country of the curse of poverty, unemployment, illiteracy, corruption and terrorism. JI would introduce subsidy in the agriculture sector and ensure fair price of farm products. The manifesto said JI shall provide paramount importance to safeguarding the independence and sovereignty of the country and armed forces would be modern and well equipped. Referring to education policy, the manifesto said JI would update the education system keeping in view the needs of a modern Islamic State. It would develop country-wide transport network and development of rural infrastructures. Constitutional, legal, judicial and administrative reforms would be made in the light of Islam and needs of the people. JI would ensure rights and dignity of women in the light of Islam and take appropriate measures to stop oppression on women and dowry system.⁵

The Communist Party of Bangladesh (CPB) election manifesto contained a 17 point election programme focusing on the re-structuring the existing political system, economic emancipation of the masses through poverty alleviation and other welfare policies and covers all other areas of national spheres including health, population, women, international affairs as well as transparency in public life.⁶

Measures for Fair and Neutral Election

The first Constitutional Non-party Caretaker Government functioned for 86 days. The Non-party Caretaker Government took up several measures to ensure the seventh JS elections free, fair and impartial. The major initiatives taken by the Non-party Caretaker Government was to make active the secretariat, protection of violence and recovers of illegal arms. The Bangladesh Election Commission was re-organized and appointed Abu Hena (retired secretary) as Chief Election Commissioner on 8 April 1996. Abedur Rahman and Mostak Ahmed Chowdhury took oath as Election Commissioners on 16 April 1996. The election date was declared on 27 April 1996. To telecast impartial news in the radio and television, the Non-party Caretaker Government declared a new principle on 5 May 1996. On the basis of this principle, Bangladesh Awami League and Bangladesh Nationalist Party will get equal opportunity regarding telecast news in the radio and the television. The NCG also took measures to telecast the news of Jatiya Party, Jamat-i-Islami, Gonoforam, NDP and others small parties. The transfers of government officers and police personnel were also made as per the requirement of the government.⁷

The Habibur NCG amended the RPO and disqualifying several categories of people from contesting the elections. An Ordinance promulgated on 25 April 1996, provided that a person would be disqualified from being elected as a member, if he is a loanee, had defaulted in repaying on the day of submission of nomination paper any loan or installment thereof taken by him from a bank. The 1996 Ordinance also made it mandatory for the contesting candidate or his election agent to open a separate account with a schedule bank for the purpose of making payment of the election expense other than personal expenditure. Each contesting candidate or his election agent was also required to submit a statement certificate by the schedule bank, showing the amount deposited in and withdrawn from the account.⁸

The Bangladesh Election Commission has to depend upon the government for the supply of manpower and other resources to conduct the elections. Experience shows that the Deputy Commissioner (DC) is appointed as Returning Officer (RO) and the *Upazila Nirbahi* Officer (UNO) as Assistant Returning Officer (ARO). The RO's and ARO's enjoy widespread powers; they also have the ability to influence the election outcome in a number of ways. In fact, free, fair and impartial elections largely depend upon the way these officers behave. The Habibur NCG made several changes at different levels of administration i. e. transferred 5 DC's and 90 UNO's and other high officials in response to the demands of different parties.⁹

Results of the Seventh *Jatiya Sangsad* elections

The Seventh *Jatiya Sangsad* elections were held on 12 June 1996, with enthusiasm and spontaneous participation of the voters. There was an unprecedented voter turnout (74.15%) which indicated people's political consciousness. The people, through their exercise of voting rights expressed support for democracy and continuation of constitutional process in the country. The Awami League won 146 seats and emerged as a single largest party; while BNP captured 116 seats and emerged as the main opposition in the JS. Jatiya Party and Jamat-i-Islami became the third and fourth position in the election. Due to violence in a number of polling centres, the Election Commission postponed the elections of 27 constituencies. Re-polling in those troubled centres of the above constituencies was later held on 19 June 1996. The results of the seventh parliamentary elections can be seen from Table 6.1 which shows the number of seats won by different political parties.

Table 6.1

Results of the Seventh Jatiya Sangsad Elections, 12 June 1996

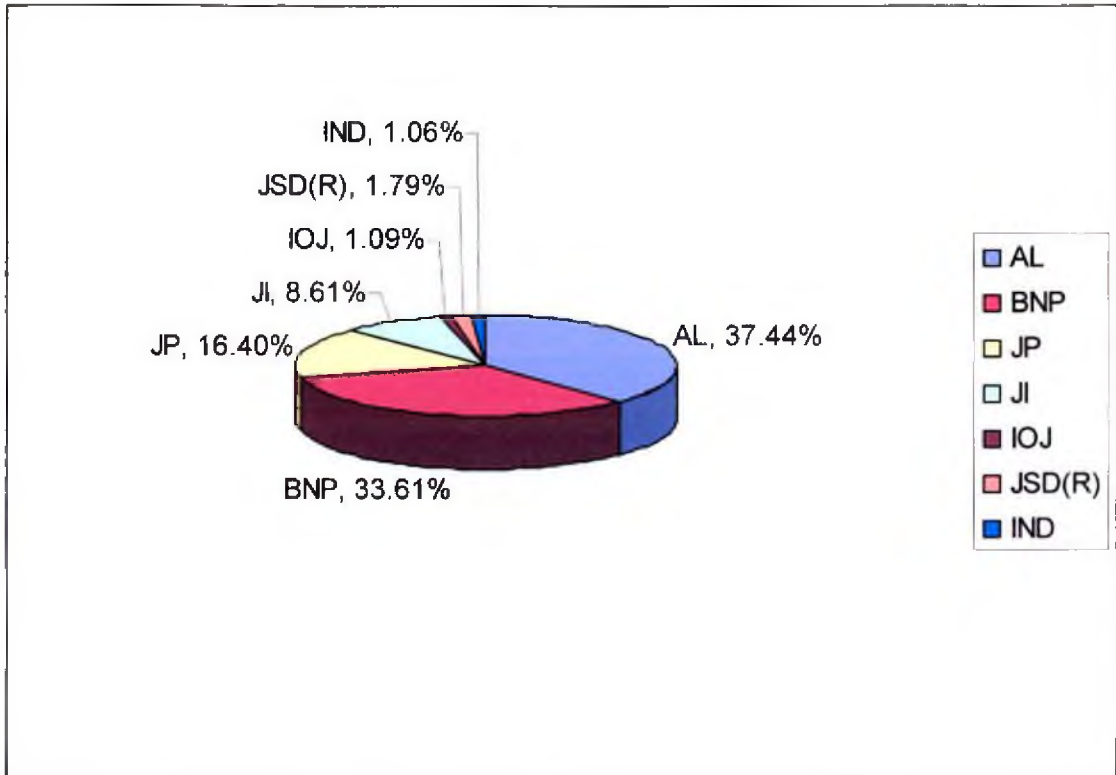
Name of Parties	No. of Candidates Set Up	No. of Valid Votes Polled	% of Voters	No. of Seats Won
Awami League	300	1,58,82,790	37.44	146
BNP	300	1,42,55,982	33.61	116
Jatiya Party	293	69,54,981	16.40	32
Jamat-i-Islami	300	36,53,013	8.61	3
Islami Oikko Jote	165	4,60,997	1.09	1
Others parties including				
JSD (Rab)	935	7,60,367	1.79	1
Independent	281	4,50,132	1.06	1
Total	2,574	4,24,18,262	100	300

Source: Compiled by the researcher from Bangladesh Election Commission, Dhaka, 2008.

In the seventh JS elections, an unprecedented 74.15 percent of the voters duly cast their votes in comparison to 55.45 per cent in the 1991 polls. The Election Commission declared Awami League as the majority party which bagged 3.94 per cent more votes in 1996 than in 1991 polls. It is noted that Awami League and its allies received more than 33 percent of votes in the 1991 general elections. Bangladesh Nationalist Party (BNP) and Jatiya Party secured 2.64 percent and 4.21 percent more votes respectively in the 1996 election as compared to the 1991 polls.¹⁰ Jamat-i-Islami obtained only 3 seats and 8.61 per cent of votes in the 1996 elections. In the seventh JS elections of 1996, the remaining political parties received 2.85 percent of the votes and 281 independent candidates secured 1.06 percent of the votes. In this election, deposit money of as many as 1860 candidates was forfeited because of their failure to obtain one-eighth of the total vote casted.¹¹ Only 714 candidates belonging to 8 political parties, including 5 independent candidates got back their security deposits.¹²

Diagram 6.1

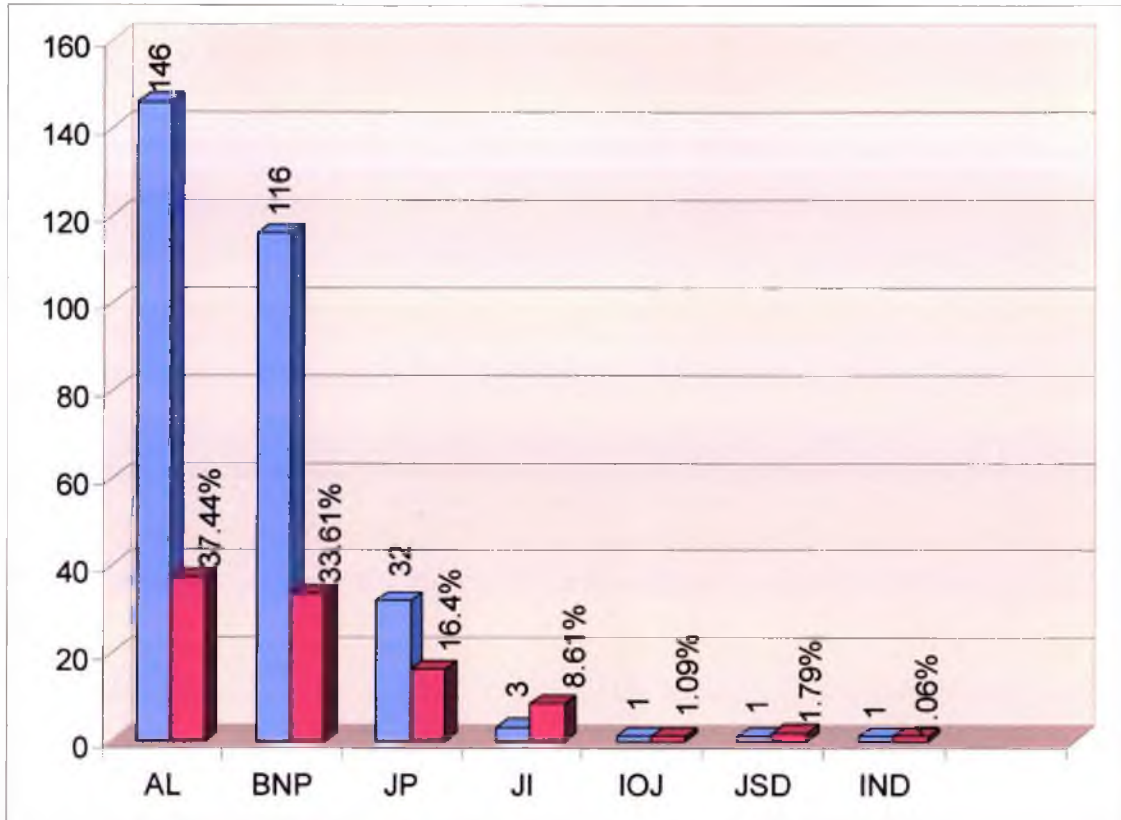
Graphical Representation of Votes Obtained by the Parties in the Seventh Jatiya Sangsad Elections, 12 June 1996



From the diagram 6.1, we can see that in the seventh *Jatiya Sangsad* elections, AL secured the highest percentage (37.44%) of votes; while BNP secured 33.61 percent of votes and emerged as the main opposition party in the parliament. Jatiya Party received 16.40 percent; Jamat-i-Islami received 8.61 percent of votes and became third and fourth position in the elections respectively. IOJ received 1.09 percent, JSD (R) received 1.79 percent and independent candidates received 1.06 percent of votes casted in the seventh JS elections.

Diagram 6.2

Graphical Presentation of Votes and Seats Obtained by the Parties in the Seventh Jatiya Sangsad Elections, 12 June 1996



From the diagram 6.2, we can see that the AL won the highest number of seats (146) in the seventh JS elections and received 37.44% of votes. The BNP won 116 seats and received 33.61% of votes and emerged as the largest opposition party ever since in the parliamentary history of Bangladesh. On the other hand, JP won in the 32 constituencies and became the third largest party in the parliament. JI won 3 constituencies and IOJ, JSD and independent candidate won single constituency respectively.

Women Candidate:

In the seventh parliamentary elections, out of 36 women candidates from 13 political parties, 5 came out successful from 11 constituencies. Thus the Awami League Chief Sheikh Hasina and BNP Chairperson Khaleda Zia won from 3 and 5 constituencies respectively. Begum Raushan Ershad of Jatiya Party, Begum Motia Chowdhury of Awami League and Khurshid Jahan Haq of BNP were winners from the other constituencies. Later, two more women candidates, namely Tasmima Hossain of Jatiya Party and Momtaz Begum of BNP, became victorious in the by-elections.¹³

Analysis of the Results

The results of seventh parliamentary elections reveal that the electorate placed their support mostly in favor of two major political parties of the country, AL and BNP. But at the same time a number of influential stalwarts of major political parties were defeated due to the electorate's dissatisfaction with their performance. Top brass and the former MPs of the parties who lost the polls included, among others, AL's Amir Hossain Amu, Mohiuddin Ahmed and Suranjit Sen Gupta; BNP's Mustafizur Rahman, Majedul Haq, Abdus Salam Talukder and Abdul Motin Chowdhury; Jatiya Party's Moudud Ahmed, Shah Moazzem Hossain and Kazi Zafar Ahmed; Jamat-i-Islami's Matiur Rahman Nizami, Abdul Qader Molla and Sheikh Ansar Ali; and Gana Forum's Dr. Kamal Hossain. Some well known central leaders of the left political parties who failed to win the elections included JSD (Inu) leader Hasanul Huq Inu; Workers Party leader Rashed Khan Menon and Sramik Krishak Samajbadi Dal leader Nirmal Sen.¹⁴

As mentioned earlier, Awami League Chief Sheikh Hasina and BNP Chairperson Begum Khaleda Zia had spectacular victories in all the 3 and 5 constituencies, respectively contested by them. Jatiya Party Chief and former President General Ershad, who was under imprisonment, had a splendid victory

in his five northern constituencies, which indicated his popularity in those areas. Likewise, Awami League's Tofael Ahmed, Abdur Razzak and Mohammad Nasim, and BNP's Saifur Rahman, and Col. (Rtd.) Oli Ahmed and Jatiya Party's Anwar Hossain Monju won two seats each. All the prominent politicians of the major three parties who won more than one seat in the Parliament had to vacate a total of sixteen seats and by-elections of those constituencies were held on 5 September 1996.¹⁵

Minority Candidates

In the seventh JS elections, 71 candidates from the minority Hindu community contested, of which 11 were competing from the Awami League, 5 from BNP, 7 from Jatiya Party, 14 from left parties and the rest from other smaller parties. Out of the minority candidates, only 8 were successful and among them 7 were from Awami League and 1 from BNP. This result reveals that most of the minority sections traditional support and association with the Awami League.¹⁶

Quisling Candidates

On the eve of seventh JS elections, a sort of competition was observed among the factional leaders to change their political affiliation and switched to other parties in exchange of obtaining candidacy in the polls. Among these 36 quisling (split away) politicians, 22 contested from BNP, 9 from Awami League, 4 from Jatiya Party, 1 from Islami Oikya Jote and 1 as independent candidate. Of these, 15 candidates won their seats and among them 8 were from BNP, 4 from Awami League, 1 from Jatiya Party, 1 from Islami Oikya Jote and 1 as independent. The major political parties were also seen to be nominating a significant number of retired army officials. Of the total 46 senior military officials contesting from 6 political parties, 12 were winners of which 7 were from the Awami League, 4 from the BNP and the rest 1 from Jatiya Party.¹⁷

Formation of Government

President Abdur Rahman Biswas invited the majority party, Awami League to form the government on 22 June. Sheikh Hasina took oath as a Prime Minister on 23 June 1996. The other 19 members of the Council of Ministers took oath on the same day. The functions of the Non-party Caretaker Government came to an end with the formation of new government. Humayun Rashid Chowdhury (Constituency 228, Sylhet-1) elected Speaker and Advocate Md. Abdul Hamid (Constituency 169, Kishoreganj-5) elected Deputy Speaker of the seventh JS as per the article 74 (1) of the Constitution of the Republic.

BNP, the Largest Opposition Party in the Seventh *Jatiya Sangsad*

Bangladesh Nationalist Party (BNP) won in 116 seats in the seventh JS elections and emerged as the largest opposition party in the parliament. BNP participated in the four parliamentary elections among the seven and boycotted the Third and Fourth JS elections held during the Ershad regime. As BNP was the main opposition party in the seventh JS, its percentage of votes increased compared to the fifth JS elections. In the fifth JS elections, BNP received 30.61 percent of votes, while received 33.61 per cent of votes in the Seventh JS elections. BNP not only won 116 seats in the Parliament, but also received second position in 113 constituencies, that were more than 55 compared to the fifth JS. In the seventh JS, although BNP lost their previous 60 seats, they won in the new 36 seats of the Parliament.¹⁸ BNP as the main opposition party participated in the various legislative devices inside the JS.

Parliamentary Session and Opposition

There were 22 sessions of the seventh JS and first session was commenced on 14 July 1996 and end of the last session was 13 July 2001. The first session of the seventh parliament commenced with the election of the Speaker and deputy Speaker of the House. Table 6.2 reveals that, the total working days of seventh

JS were 382 and total working hours were 1629.52. Total 54 working days was allotted for the opposition MPs, while 328 days were fixed for the MPs of the ruling party. Regarding the allocation of working days and working hours in

Table 6.2

List of Working Days in the Seventh Jatiya Sangsad and Opposition Participation

Sessions	Total Working days	Total Working hours	Working days for Government MPs	Working days for Opposition MPs
First (14.7.96-2.9.96)	33	205.37	29	4
Second (1.11.96-20.11.96)	9	47.12	09	-
Third (15.1.97-13.3.97)	31	153.00	27	4
Fourth (10.5.97-15.5.97)	6	32.47	05	1
Fifth (10.6.97-10.7.97)	22	133.45	18	4
Sixth (30.8.97-4.9.97)	6	27.44	05	1
Seventh (2.11.97-16.11.97)	7	29.55	06	1
Eighth (14.1.98-13.5.98)	54	238.00	45	9
Ninth (10.6.98-9.7.98)	20	66.24	18	2
Tenth (7.9.98-8.9.98)	2	12.29	02	-
Eleventh (5.11.98-26.11.98)	15	74.53	12	3
Twelfth (25.1.99-7.3.99)	25	92.02	21	4
Thirteenth (6.6.99-8.7.99)	26	119.52	23	3
Fourteenth (29.8.99-9.9.99)	6	13.59	05	1
Fifteenth (1.11.99-9.11.99)	7	15.51	06	1
Sixteenth (1.1.00-30.1.00)	16	52.15	13	3
Seventeenth (28.3.00-6.4.00)	8	20.20	06	2
Eighteenth (5.6.00-9.7.00)	25	78.09	24	1
Nineteenth (6.9.00-14.9.00)	7	24.14	05	2
Twentieth (9.11.00-23.11.00)	9	28.45	06	3
Twenty 1 st (11.1.01-31.1.01)	14	49.18	12	2
Twenty 2 nd (29.3.01-12.4.01)	9	28.04	07	2
Twenty 3 rd (6.6.01-13.7.01)	25	84.49	24	1
Total	382	1629.52	328 (85.86%)	54 (14.14%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

the sessions of the seventh parliament compared to the ruling party, the opposition was allotted for less working days and working hours. In the total 23 sessions, the highest working days (9 days) was allotted for the opposition in the eighth session of the seventh JS.

Adjournment Motion

Opposition in the seventh JS remained active in moving adjournment motions which is often regarded as an important legislative weapon in the hands of the opposition to keep the party in power continuously alert in front of the vigilant

Table 6.3

List of Adjournment Motions (Rule-62) in the Seventh Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	-	-	-	-
Second	81	1	78	0
Third	555	0	328	0
Fourth	212	0	88	0
Fifth	493	414	79	0
Sixth	348	0	59	0
Seventh	280	0	280	0
Eighth	270	2	33	2
Ninth	134	0	134	0
Tenth	269	0	269	0
Eleventh	415	0	408	0
Twelfth	1061	2	848	2
Thirteenth	338	0	209	0
Fourteenth	140	0	140	0
Fifteenth	130	0	130	0
Sixteenth	-	-	-	-
Seventeenth	1	0	1	0
Eighteenth	1	0	1	0
Nineteenth	-	-	-	-
Twentieth	7	0	7	0
Twenty 1 st	-	-	-	-
Twenty 2 nd	-	-	-	-
Twenty 3 rd	2	0	2	0
Total	3517	419 (100%)	3094	4(0.95%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

- Detailed statement on the notices accepted in the fifth session is not available in the *Jatiya Sangsad* proceedings.
- In the First, Sixteenth, Nineteenth, Twenty first and Twenty second session of the seventh *Jatiya Sangsad*, notices of *Adjournment Motions* was not submitted.

eyes of the legislators. Rule 61 of the Rules of Procedure of the JS provides that a motion for an adjournment of the business of the House for the purpose of discussing a definite matter of recent and urgent public importance may be made with the consent of the Speaker.¹⁹ The list of Adjournment Motions by the opposition MPs in the seventh JS are shown in the Table 6.3. It can be seen from the Table 6.3 that total 417 notices were accepted among the received notices in the House. Out of these accepted notices 4 were tabled by the opposition members. Among the four notices of the opposition, 2 were raised by members of Jatiya Party and the rest 2 notices raised by the members of BNP.

Calling Attention to Matters of Urgent Public Importance

Another parliamentary device commonly used by the opposition is calling attention to matters of urgent public importance. According to Rules of Procedure of Parliament of the Peoples Republic of Bangladesh (Rule-71), any member may, with the permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.²⁰ During the seventh *Jatiya Sangsad*, there were 228 calling attention notices raised by the opposition in the House as can be seen from Table 6.5. Of the 228 opposition notices 155 were raised by the BNP, 68 by Jatiya Party and 5 by Jamat-i-Islami. The issues which were raised included among others, the following: Construction of fifth Bangladesh China friendship bridge, in order to improve health services immediately set up a blood bank in every Thana, 8.5 Lac people in 18 districts sufferings from flood, harassment of passengers and fee collection of visitor lounge at the Zia International Airport, repatriation of Bangladeshi from Pakistan, the whimsical decision of the Board of Intermediate and Secondary Education, Dhaka regarding the 908 SSC examinees of 1996, distribution of *khas* land among the poor people, maintenance and reforms of flood control dam on the river of Padma and

Garai, regarding the constraint of religious education, expansion of Char fashion Thana Health Complex from 31 beds to 51 beds and supply of X-ray Machine, crisis of TSP fertilizers in Jaipurhat district, long cherished demand of the people of Khulna for construction of Rupsha Bridge, construction of Natore- Naogaon roads and bridge on Naldanga river, establishment of a child hospital and a TB hospital at Jhenaidah district headquarter, construction of Garai bridge on the Garai river in the Rajbari-Kustia roads, discriminatory behaviour towards the teachers of non-government schools and colleges, regarding the protection of environment pollution, establishment of a 50 beds

Table 6.4

List of Calling Attention to Matters of Urgent Public Importance (Rule-71) in the Seventh Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	1683	78	1486	30
Second	637	24	613	7
Third	1850	84	1766	39
Fourth	425	15	410	9
Fifth	1108	39	1069	18
Sixth	360	12	348	2
Seventh	304	18	286	1
Eighth	1967	96	1251	35
Ninth	493	29	464	10
Tenth	143	30	113	-
Eleventh	755	27	519	14
Twelfth	1060	49	730	23
Thirteenth	1106	25	795	13
Fourteenth	180	12	92	2
Fifteenth	192	12	98	2
Sixteenth	432	39	171	5
Seventeenth	211	18	90	2
Eighteenth	638	55	295	5
Nineteenth	256	18	133	2
Twentieth	225	15	107	2
Twenty 1 st	354	30	144	0
Twenty 2 nd	246	24	222	3
Twenty 3 rd	573	40	307	4
Total	11349	789 (100%)	10509	228(28.9%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

hospital in Mirzapur Thana at Tangail district, long term initiatives aiming to protection of river erosion on both sides of the Padma, introduction of Honours and Masters courses in the Jaipurhat government college and Jaipurhat girls college, supply of electricity in the various regions of Mathbaria Thana of Pirojpur district, control of selling and use of dangerous acids, construction of fire station in the Char fashion Thana, reduce of toll charge that vehicle plying on the Jamuna Multi-purpose Bridge, set up a separate education board in the Barishal division headquarters, establish a agricultural college in the Jhenaidah district headquarter, set up an auditorium and a *dakh banglow* in the Mahespur of Jhenaidah district, implementation of Chittagong as a complete commercial capital, construction of second Buriganga bridge on the Buriganga river near Babu Bazaar, electrification of Roumari Thana of Kurigram district, development and reforms of primary schools in the Union level of Lalmonirhat Thana and increase time and quantity of collection of food grains.

Discussion on Matters of Urgent Public Importance for Short Duration

Another important legislative device in the hands of the opposition in the parliament had been the discussion on matters of urgent public importance for short duration. Rule 68 of the rules of Procedures of Parliament of the Peoples Republic of Bangladesh provides that any member desirous of raising discussion on matters of urgent public importance may give to the Secretary, not less than two days before the date on which he intends to raise the discussion, notice in writing supported by the signatures of at least five other members clearly specifying the matter to be raised: Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question.²¹ Table 6.5 shows opposition participation in the discussion of urgent public importance for short duration in the seventh JS. During the seventh JS, total 540 notices were received by the House; among the received notices 21 were accepted by the House. Among the accepted notices 13 were raised by the opposition members. The following

issues were raised by the opposition: decline of passing rate in the SSC examination, deterioration of law and order in the country, marooned of six Lac people in the northern 10 districts, the smugglers illegally bring gold and heroine through Zia International Airport, Bangladeshi ship M. V. Kashim including 24 crew missing from the Taiwan Bay, miserably killing of people by the police personnel all over the country, to arrange one personal secretary, one assistant and one peon for the honorable Members of Parliament, protection of dreadful arsenic contamination in the drinking water, supply of fertilizer to the dealer not in due time, ensure of security of one Lac Bangladeshi citizen in

Table 6.5

Discussion on Matters of Urgent Public Importance for Short Duration (Rule-68) in the Seventh Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	96	6	76	4
Second	59	4	55	3
Third	81	6	75	3
Fourth	27	2	25	2
Fifth	55	1	54	-
Sixth	43	1	42	1
Seventh	13	-	13	-
Eighth	70	-	70	-
Ninth	25	-	25	-
Tenth	19	-	19	-
Eleventh	27	-	27	-
Twelfth	14	-	14	-
Thirteenth	11	-	11	-
Fourteenth	7	-	7	-
Fifteenth	1	-	1	-
Sixteenth	-	-	-	-
Seventeenth	-	-	-	-
Eighteenth	-	-	-	-
Nineteenth	2	-	2	-
Twentieth	3	1	2	-
Twenty 1 st	5	-	5	-
Twenty 2 nd	-	-	-	-
Twenty 3 rd	-	-	-	-
Total	540	21	506	13 (61.9%)

Source: Compiled by the researcher from the Parliament Secretariat, Dhaka, 2008.

Malaysia, stalemate of agriculture, mills and industries due to load shedding, question of SSC examination leaked all over the country in the year of 1997 and ensure due prices of jute.

Half-an-Hour Discussion

During the seventh JS, the opposition members of the Parliament duly participated in the half an hour discussion. As per Rule 60 of the Rules of Procedure of Parliament of the People's Republic of Bangladesh, the Speaker may on three clear days notice in writing being given by a member to the Secretary, allot half-an-hour on two sittings only in a week for discussion on a matter of public importance, which has been subject of recent question, starred or unstarred and the answer which need elucidation.²²

Motion of Special Privileges

According to Rules of Procedure of Parliament (Rules-164), the Members of the Parliaments can raise Special Privileges Motions in the House. A member wishing to raise a question of privilege shall give notice in writing to the Secretary two hours before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document: provided that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of question.²³ In the seventh JS, 1078 notices were received by the House with regard to special privileges of the members. The House accepted 38 notices of which 26 were raised by the opposition members. Table 6.6 illustrates opposition notices in regard of special privileges motions.

The issue put forward by the opposition includes, among others, the following: photo hanging in the office rooms of the JS without permission of the Speaker, committee formation of district and thana level and inclusions of local MP's,

arrangement of gas supply to the Member's building suits, construction of car garage for the Members of Parliament, supply of poor quality food in the canteen of MPs, bad smell throw out from water of the JS lake, scanty of VIP

Table 6.6

List of Special Privileges Motions (Rule-164) in the Seventh Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	149	29	120	28
Second	73	0	73	0
Third	164	0	100	0
Fourth	27	0	21	0
Fifth	107	2	72	2
Sixth	51	0	29	0
Seventh	66	2	64	0
Eighth	136	0	39	0
Ninth	61	1	60	1
Tenth	60	0	60	0
Eleventh	162	2	122	2
Twelfth	163	0	161	0
Thirteenth	164	0	140	0
Fourteenth	133	0	133	0
Fifteenth	49	0	47	0
Sixteenth	7	0	6	0
Seventeenth	49	1	47	0
Eighteenth	34	1	29	0
Nineteenth	20	0	19	0
Twentieth	21	0	19	0
Twenty 1 st	19	0	19	0
Twenty 2 nd	0	0	0	0
Total	1716	38	1645	33 (86.84%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

- In the twenty second session no notice submitted in the *Jatiya Sangsad*.

Cabin in the Suharawardy hospital, journey of a MP was interrupted by the Police Super, reconstruction of cyclone and flood affected educational institutions.

Prime Minister's Question Time

The seventh JS introduced 30 minutes Prime Minister's Question Time (PMQT) for the first time. During the session on each Wednesday at the commencement of the sitting, an extra thirty minutes shall be available for asking question to and answer from the same from the Prime Minister. In the seventh JS till 30 June 2001, the Prime Minister has answered 329 questions; while Ministers replied 9230 starred questions and 20,661 other questions.²⁴ The opposition legislators participated in the discussion of the House for 366 hours and 37 minutes and duly participated in the Prime Minister's Question Time.

Committee System

The committee system has been regarded as a very effective instrument of the opposition to ensure transparency and accountability of the government. Committee system is recognized throughout the world as an important innovation in the working of the representative assemblies. It helps the people's representatives to review the actions of the government and also serves as forum for legislative negotiation of the competing parties. In order to make their activities more meaningful, legislatures takes some measure of independent means through the parliamentary committees and thus the huge workload of the parliament need to be framed out by specialized structures.

Committees demonstrated a unique legislative technique collectively used by the parliamentarians to do their oversight job and monitor the governmental actions. In Bangladesh JS, the parliamentary committees are generally categorized into the following groups: ministerial committees; committees on finance and audit; other standing committees and special committees for specific purposes. One of the significant characteristics of the seventh JS had been to activate its committee structure. Table 6.7 shows composition of committees in the seventh JS. As per the provision of Rules of Procedures,

members of the parliamentary standing committees are either appointed by the House or nominated by the Speaker. The Parliament appoints the members of the financial committees, ministerial committees and some other standing committees. For example, the committee on privileges, the committee on government assurance, rules of procedure committee, and the committee on private members bills and resolutions; while the members of the House committee, business advisory committee, committee on petition and library committee are nominated by the Speaker. There are variations in the number of

Table 6.7

Broad Grouping of the Standing Committees in the Seventh Jatiya Sangsad and Opposition Participation

Ministerial Committees	Finance and Audit Committees	Other Standing Committees	Select Committees	Total
Standing Committees on each Ministry	Committees on Public accounts; Estimates; Government Enterprise; and Public Undertakings	Committees on Business Advisory; Special Privileges; House; Rules; Petition; Library	Committees on Certain Specific Subjects	
35	3	8	2	48

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

members in the above committees. For example, the Public Account Committee (PAC) and the Business Advisory Committee (BAC) have fifteen members each, while the House committee and the rules committee have twelve members each. Each ministerial committee has ten members.²⁵ The speaker chairs a number of committees: business advisory, rules, privileges and petition; while Deputy Speaker is the ex-officio chairman of the library committee.

Walkouts by the Opposition

The parliamentary opposition in the seventh JS usually adopted a number of strategies to registrar its protest against the government and influenced its decisions. The best known and widely used strategy adopted by the opposition is staging of walkouts. In the parliamentary system of government walkout is recognized as a privilege of the Members of Parliament. Walkout is visible not only in the parliamentary system of government but also in many democratic countries in the world. Walkout means temporary come out of Members of Parliament from the House. According to Webster's Third International Dictionary, "walkout is an action of leaving a meeting or organization as an expression of disapproval".²⁶

Table 6.8

List of Walkouts by the Opposition MPs in the Seventh Jatiya Sangsad

Name of Party	Walkouts (Times)
BNP	60
Jamat-i-Islami	17
Jatiya Party	2
Total	89

Source: Bulletin of the Seventh *Jatiya Sangsad* (Session: 1-23), Parliament Secretariat, Dhaka.

Table 6.8 reveals the walkouts by the opposition Members of parliaments in the seventh JS. In the first session of the seventh JS, opposition (BNP) walked-out from the parliament on 14 July 1996, in protest against refusal of the Speaker to raise an adjournment motion. In the fourth session, opposition staged walkouts in protest of refusal of the Speaker to acknowledge calling attention to the matters of urgent public importance. In the fifth session, opposition staged walkout in protest against the raise of Presidents Award Fund (Amendment) bill, 1997 by the ruling party. In the eighth session, opposition walked-out from the parliament not to give the chance to raise supplementary questions in the Prime Minister Question Time (PMQT). In the eleventh and

twelfth session, the opposition walked-out from the House in protest against the refusal of the Speaker to raise special privileges motions and adjournment motions.

Boycotts by the Opposition

In the seventh JS, the main opposition BNP boycotted the House for 163 working days. Table 6.9 shows the list of boycotts by the main opposition from the House. In the second session the opposition started boycotts from the House. The opposition completely boycotted the House from the sixth and seventh session; while the opposition partially boycotted the eighth session.

Table 6.9

List of Boycotts by the Opposition MPs in the Seventh Jatiya Sangsad

Sessions	Total Working days	Present (Days)	Boycott (Days)
First	33	33	-
Second	09	04	05
Third	31	31	-
Fourth	06	06	-
Fifth	22	22	-
Sixth	06	-	06
Seventh	07	-	07
Eighth	54	36	18
Ninth	20	20	-
Tenth	02	02	-
Eleventh	15	15	-
Twelfth	25	25	-
Thirteenth	26	25	01
Fourteenth	06	-	06
Fifteenth	07	-	07
Sixteenth	16	-	16
Seventeenth	08	-	08
Eighteenth	25	-	25
Nineteenth	07	-	07
Twentieth	09	-	09
Twenty 1 st	14	-	14
Twenty 2 nd	09	-	09
Twenty 3 rd	25	-	25
Total	382 (100%)	219(57.33%)	163(42.67%)

Source: Bulletin of the Seventh *Jatiya Sangsad* (Session: 1-23), Parliament Secretariat, Dhaka.

The opposition also completely boycotted the House from fourteenth sessions to twenty third sessions continuously for a total of 127 days. The opposition MPs belonged to the BNP, JP (Ershad) and JI joined the parliamentary session for a brief period on 20 June 2000, breaking the year-long boycott to avert the constitutional provision of losing membership of the JS. Apart from its formal role inside the parliament, the opposition adopted certain techniques outside the JS which influenced the government's policies indirectly.

Opposition outside the *Jatiya Sangsad*

In order to create pressure upon the ruling party to accept the popular demands, the opposition outside the parliament adopted certain techniques: organized procession, demonstrations, public rallies, public meetings, strikes, *hartals*, blockade and political movement against the government and tried to create public opinion in support of its alternative programs. Opposition also took the opportunity of pinpointing the failures of the government to keep election pledges and public commitments.

In the second session of the seventh JS, the opposition started boycotting from the parliamentary proceedings. The decision of boycotts has taken in the BNP Parliamentary Party meeting chaired by the Opposition Leader Begum Khaleda Zia on 10 November 1996. The opposition accused that the parliament was being made inoperative by accepting and rejecting the matters of public importance unilaterally and by not giving the opposition member's scope to discuss the issues of national importance including law and order, transit issue and water sharing treaty with India. In its 10-point demand, the opposition leader of the House said the parliamentary standing committees were made ineffective by not maintaining 'ratio balance' of the treasury bench and opposition. The opposition accused that television of being biased to the ruling party in telecasting reports on parliamentary activities. Begum Zia alleged that her party members were not given sufficient time and opportunities in the JS to

express their views. She also alleged that a good number of her party workers had been arrested and law and order situation of the country including the educational institutions had deteriorated.²⁷

The main opposition BNP attended the opening day of the sixth session for about 20 minutes and staged walkouts following the Deputy Leader of the opposition Prof. AQM Badruddoza Chowdhury's unscheduled speech regarding the price-hike of petroleum products, terrorism and law and order issue. The opposition members abstained from the House remaining part of the sixth session. Members of the Jatiya Party and Jamat-i- Islami did not join the walkouts.²⁸ Leaders of the treasury bench and opposition hold a meeting to resolve the crisis through the negotiation of the Speaker. But the opposition remained adamant to their decision to stay out from the parliamentary session. Occasionally the opposition is not allowed to perform its effective role inside the JS by the treasury bench. On the contrary, now and again the opposition opposes the government on political reasons and boycotted the parliamentary session in order to fall down the government in difficulties.²⁹

President of the Republic, Justice Shahabuddin Ahmed said parliamentary form of government needs 'accommodating spirit' and 'give and take policy' between the government and the opposition parties in the *Jatiya Sangsad*. He said,

"Cooperation and consensus on major national issues are must in the parliamentary system of governance. The on-going interruption in the JS is hindering the democratic process in the country. So, the government as well as the opposition parties in the parliament should work together for resolving the unnecessary debates and give up their adamant attitude for the welfare of the people."³⁰

The main opposition BNP remained outside the JS during the seventh session. Jamat-i-Islami legislators joined the session but staged walkout in protest against the government's failure to live up to its pledge that 'the parliament

will be centre of all national activities.’ Jamat-i-Islami MP Delwar Hossain Sayeedi said, “The Prime Minister herself had announced that all national issues would be discussed in the parliament, but the government had signed the Ganges Water Treaty with India without consulting the JS. Same is the case with the proposed agreement with the Parbatta Chattagram Jana Sanghati Samity; the government is signing agreement on Chittagong Hill Tracts Peace Treaty without consulting in the parliament.³¹ The opposition continued to boycott the parliament till the eighth session.

Speaker of the House, Humayun Rasheed Chowdhury took an initiative for dialogue between the ruling party and the opposition on 1 November 1997. He said a culture of discussion and dialogue should be nurtured by the government and the opposition to resolve all crises in a democratic way. The decision for the re-introduction of parliamentary democracy in 1991 through the Twelfth Amendment of the Constitution was the reflection of the people’s aspiration. The Speaker also told the House it is the sacred duty of each elected MP irrespective of party affiliations to make the JS lively, effective and dynamic and realize the dreams of the people.³² But the opposition did not welcome the Speakers call and continued to boycott from the parliamentary sessions.

The President in his inaugural speech in the eighth session on 14 January 1998 persuaded the opposition to join the JS. He said tolerance, earnestness, consensus on national issues respect and restraints are essential for national integration and economic development of the country. The political leaders irrespective of party affiliations should strive to create awareness among people on these issues. He also said that the JS is the foundation of democracy and focal point of all national activities. The JS should, therefore, be made effective through participation of all to materialize expectations of the people.³³ The opposition joined the eighth session of the parliament and participated in the legislative activities till the thirteenth sessions.

The fourteenth session of the seventh JS began on 29 August 1999 amidst boycott by the opposition. The opposition legislators belonged to the BNP, JP (Ershad), and JI boycotted the session in support of their demand for cancellation of the cabinet decisions to examine the prospect of granting transit facility to India. The four party alliances led by main opposition BNP staged mass procession in the city on 30 August 1999 under the respective party banner in protest against the government's decisions of granting transit to India, worsening law and order situation and repression on opposition leaders and workers. The Opposition Leader of the House bitterly criticized the government to torture and suppressed the opposition and accused that the government had made JS ineffective in a planned way. She accused that the opposition was not allowed to discuss any important national issues in the parliament and she added that BNP could not be a party of the government's conspiracy of giving corridor to India by joining the ineffective parliament.³⁴ Begum Zia also accused that the country's sovereignty, integrity and economy would be destroyed if India was given transit. India would not only use this transit for carrying its goods but also pass troops and ammunitions to its north-eastern part to suppress the liberation movement there. In this context the opposition leader said that the country's sovereignty would be endangered and economy as well as mills and factories would face destruction.

The opposition called *hartal* on 8 and 9 November 1999 in protest against the police firing on the BNP leader and former Minister Abdullah Al Noman, Sadek Hossain Khoka and Joinul Abedin Faruq. The Leader of the House and Prime Minister Sheikh Hasina appealed to the opposition to sit for dialogue to resolve all political issues and to avoid the path of conflict and confrontation. She made the call in the fifteenth session of JS ended on 9 November 1999 without opposition parties who took to the street enforcing *hartal* in their anti-government movement.³⁵ The opposition did not receive the call of the Prime Minister and continued to stay-off the fifteenth sessions.

During the sixteenth session of the seventh JS, the treasury bench passed the Public Safety Act (PSA) in the parliament. The main opposition strongly protested against the enactment of PSA and urged the President not to grant the bill. The opposition four party alliances in a meeting decided to observe country-wide demonstration day on 16 January 2000 in protest against the deterioration of law and order situation and in demand for resignation of the government.³⁶ Country-wide demonstrations could not make any effect to the government decisions regarding the enactment of PSA.

The opening day (28 March 2000) of the seventeenth session of the seventh JS, Speaker Humayun Rasheed Chowdhury offered his mediation to facilitate dialogue between the ruling party and the opposition in order to break the political stalemate. He said 'if there is any inconvenience or difference of opinion, it can be settled through discussion, mutual respect and tolerance can help flourish hard-earned democracy'.³⁷ It is expectation of the people that the government and the opposition will perform the sacred duty sitting in JS in a democratic atmosphere. The BNP-led opposition alliance did not respond to the Speaker's call and they continued boycott from the parliamentary sessions. It is the responsibility of both the government and opposition to make the JS effective; the main objectives of the MPs should be ensured the rights and welfare of the electorates who choose them as their representatives.³⁸

The main opposition BNP, JP (E), JI and IOJ on 4 June 2000 marched to the Election Commission office in protest against the unilateral appointment of M A Syed as Chief Election Commissioner (CEC). The BNP-led four party opposition alliances *gheraoed* the district Election Commission office across the country and organized rallies and processions towards the Election Commission office of Sher-e- Bangla Nagar. The procession of the opposition were stopped by police barricade at different parts of the city on their ways to the Election Commission.³⁹

The opposition MPs of BNP, JP (E), and JI joined the eighteenth session of the seventh JS for a brief period on 20 June 2000 breaking their year-long boycott to avert the constitutional provision of losing membership. The opposition lawmakers signed the attendance registrar, enter the House, sat in their respective seats and went out after 45 minutes as soon as Leader of the opposition in the JS Begum Khaleda Zia finished her brief speech. Begum Khaleda Zia made a five minutes speech in which she accused that there was no congenial atmosphere in the House. She led the opposition MPs to go out of the House and their return remained uncertain. Out of 108 MPs of BNP 97 including Deputy Leader and senior leader of opposition were attended the budget session briefly for a few minutes but did not take part in the proceedings.⁴⁰

Leader of the opposition begum Khaleda Zia announced a demonstration programme on 5 December 2000 in protest against the price hike of the essentials; increase the price of electricity, deterioration of law and order situation, intimidation, attacked and filing the false cases against the opposition leaders and workers. 105 MPs of the opposition have termed the 'false case' against 16 leading lawyers and an adviser to the BNP chairperson under Public Safety Act (PSA) as 'cruel vengeance and naked tyranny' of the government. The opposition demanded the immediate withdrawal of the false cases and repeal of the black Act immediately. The opposition MPs accused that the government kept the ruling party men involved in terrorism, robbery, toll extortion, forcible occupation of property and tender snatching since the enactment of the black law and was blatantly abusing it against opposition leaders and activities.⁴¹

The European Parliament called on the opposition to attend the parliamentary sessions and refrained from extra-parliamentary activities including *hartals*, blockade and *gheraoed*. The call was made in a resolution by European Parliament on Bangladesh on 18 January 2001. In the resolution the European

Parliamentarians also expressed concern about the existence of various pressures aimed at undermining the country's long standing secular tradition.⁴² By the end of January 2001, the main opposition decided not to go for any destructive activities and considered mass procession as an alternative to *hartal*. The main opposition BNP decided to launch country-wide anti-government programmes aiming to isolate the government through highlighting its failure, corruption, politicization of administration, misdeeds and repression. BNP both separately and jointly with alliance partners held public rallies, mass processions and other programme across the country to mobilize public opinion in its favour against the ruling party.

Jatiya Sangsad is the centre of all democratic activities and the opposition's role is very vital for keeping the centre above reproach. The appropriate role of the opposition in the seventh JS primarily depended on the neutral and impartial role of the Speaker. The Speaker should be provided equal opportunity of speech to the opposition's Members of Parliament. To make the JS more lively and effective, the non-political attitude of both the ruling party and the opposition should be avoided.⁴³

The opposition completely boycotted the parliamentary proceedings from the fourteenth session to the twenty third (last) session. In the seventh parliament, the main opposition boycotted a total of 163 working days (42.67 %) out of 382 working days. Multi-party forum should be made consisting of members from the treasury bench and the opposition to avoid the lengthened boycott from the House. In the multi-party forum discussion and recommendations should be made regularly regarding the causes of walkouts and boycotts.⁴⁴

From the above discussion we can say that in the seventh JS elections BNP emerged as the largest opposition party in the parliamentary history of Bangladesh. Among the 382 working days in its 23 sessions of the seventh JS, a total of 54 working days were allotted for the opposition Members of

Parliament. The opposition legislators duly participated in the various legislative techniques inside the parliament e. g. 228 notices of calling attention to matters of urgent public importance, 4 notices of adjournment motions, 13 notices of discussion on matters of urgent public importance for short duration, 33 notices of special privileges motions. The opposition also participated in the 48 parliamentary standing committees. During the seventh JS, the opposition walked out from the parliamentary sessions 89 times. In its 23 sessions of the seventh JS, the opposition completely boycotted 12 sessions and partially boycotted three sessions. A total of 163 working days were boycotted by the opposition members which were 42.67 percent of the total 382 working days. In order to create pressure upon the ruling party the opposition adopted certain strategies outside the JS such as organized procession, demonstration, public rallies, public meetings, *hartals*, strikes, blockade and in extreme cases total non-cooperation against the government. The opposition also criticized the government for its various failures such as, transit issue and water sharing treaty with India, enactment of Chittagong Hill Tracts Treaty and Public safety Act, price hike of essentials, deterioration of law and order etc. Although the seventh JS engendered a strong opposition in the parliament, due to opposition's frequent walkouts and prolonged boycotts from the parliamentary sessions, the role of opposition remained largely ineffective.

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Chapter 7:
Role of Opposition in the Eighth *Jatiya*
***Sangsad* (2001-2006)**

Role of Opposition in the Eighth *Jatiya Sangsad* (2001-2006)

This chapter evaluates the role of opposition in the eighth *Jatiya Sangsad*. Through the eighth JS elections, AL emerged as the main opposition party in the parliament. Like the seventh JS, the eighth JS was also completed its full term of five years. The present chapter describes the role and performance of opposition inside the *Jatiya Sangsad*. It has also discussed about the techniques adopted by the opposition outside the *Jatiya Sangsad* such as to criticize the government policies and formation of public opinion regarding the issues of national importance of the country during 2001- 2006.

Eighth *Jatiya Sangsad* Elections and Major Political Parties

In the eighth JS elections 54 political parties and 1939 candidates were contested in the 300 general seats of the Parliament. Awami League was the only party that nominated candidates in all the constituencies of the country. Although BNP had the organizational strength to set candidate in every constituency of the country, it fielded 252 candidates and decided to support the candidates of its allies in the four-party alliances in the remaining 48 constituencies. Jatiya Party (Ershad) put up 281 candidates and Jamat-i-Islami contested 31 constituencies. Among other parties, Jatiya Party (Manju) set 140 candidates; Krishak Sramik Janata League put up 39 candidates and Jatiya Party (N-F) set 11 candidates. A total of 486 independent candidates were contested in the eighth JS elections.¹

A total of 38 women candidates (in 46 constituencies) including Begum Khaleda Zia, Sheikh Hasina, Begum Raushan Ershad, Nasrin Monem Khan, Khurshid Jahan Haq, Dr. Hamida Banu Shova contested in the elections. Sheikh Hasina contested in the five constituencies; one seat in her home constituency at Gopalganj-3, two seats in Narail-1, 2; one seat in Rangpur-6 and Barguna-3 respectively. Begum Khaleda Zia contested in the five constituencies; two seats in Bogra-6, 7; one seat in Khulna-1, Feni-1 and

Laxmipur-2 respectively. Raushan Ershad and independent candidate Nasrin Monem Khan contested in the two constituency's respectively.² Almost all the prominent leaders of major political parties contested in the elections. Although a large number of political parties contested in the elections, it was clearly understood that the main competition would take place between BNP and AL.

Election Manifestoes

Awami League in its election manifesto pledged rule of law, corruption free administration, accountability and transparency; uproot violence, improve law and order situation; an independent Anti-Corruption Commission will be established; highest priority would be given on poverty alleviation; creating jobs for unemployed youths, subsidy on agriculture materials; private enterprises, foreign and domestic investments would be encouraged; all out initiatives would be taken to implement scientific and pro-people national education policy and enhance the standard of education, female education would be made free up to the degree level; ensure health services and family welfare; new steps would be taken for achieving women rights, dignity and empowerment and to stop violence against women and children; judiciary would be separated from the executive; autonomy of the Radio and Television and a modern, skilled and professional defence force would be built.³

Bangladesh Nationalist Party in its election manifesto pledged to uproot corruption, violence and repression from the society; the number of seats in the parliament would be increased to 500; steps would be taken for separation of judiciary from the executive and ensure independence of judiciary; no law contrary to Islam would be formulated; Radio and Television would be given real autonomy; it would ensure fair prices for all agricultural products; top priority would be given to the IT sectors; the education sector would get the highest budgetary allocation; steps would be taken to scrap all black laws, including Public Safety Act and Special Power Act of 1974; defence force

would be modernized; friendly relations to be established with the countries of this regions, especially with our neighbors and further strengthen relations with the Muslim countries; Gram Sarkar would be re-introduced to accelerate development.⁴

Jatiya Party's manifesto presented the following points to build a new Bangladesh: Number of schools and colleges would be increased and initiatives would be made for free education for both boys and girls up to Higher Secondary Certificate (HSC); agricultural and village development; social development; development of the communication system; ensure rule of law and independence of judiciary; all black laws including Public Safety Act of 2000 and Special Power Act of 1974 would be removed; empowerment of women and priority would be given providing jobs for freedom fighters.⁵

Jamat-i-Islami's manifesto contained a menu of promises such as to establish the rules of Islam in the country in the light of the *Quran* and *Sunnah* to make the country an Islamic welfare state; wipe out corruption and violence to ensure welfare of all people; a strong and effective army would be built; necessary measures should be taken for the development of education sectors; new agriculture and industrial policy should be adopted; protection of environment and development of human rights; poverty reduction, rural development and ensure social security; rights of women and children.⁶

In its election manifesto JSD pledged to constitute a two-tier parliament in the country with representation from all professions. It will take all out efforts to bring peace in the society by eliminating terrorism and to establish rule of law.⁷

Measures for Fair and Neutral Election

Within an hour of being sworn in as Chief Advisor, Justice Latifur Rahman made changes in the administration through transforming 13 secretaries. The Non-party Caretaker Government took several measures to ensure people's

confidence in the electoral process: massive drive would be launched to recover illegal arms and round up terrorist, direction given to law enforcing agencies to take stern actions against any offender without fear or favour, civil administration directed to maintain strict neutrality, stern action would be taken against the civil servants if found breaching neutrality, political parties urged to motivate their activities to refrain from conflict, violence and intolerance, the socio-economic activities to remain uninterrupted along with holding of elections, newspapers and electronic media urged to play a creative role in defusing confrontation among the political parties and creating consciousness among the masses, all cooperation to be extended to Bangladesh Election Commission for holding the forthcoming eighth JS elections in a free, fair and impartial manner.⁸ The Election Commission was empowered to suspend Returning and Presiding Officers for election offences. All the government and semi-government officers and employees deployed for election purposes.

The President promulgated an ordinance and gave legal effect to the Representation of People's Order (Amendment) Act 2001 that amended election laws formulated in 1972. The new law gave the EC necessary power to formulate rules. According to new law, a two member Election Enquiry Committee (EEC) comprising two officers of the judicial cadre in each of the 64 districts will probe into the allegations of the violation of electoral Code of Conduct. The EEC will investigate the allegations of pre-poll violations on the basis of complaints and information available or on their own initiatives. A total of 128 officials of judicial cadre with the rank of Additional District Judge and the Assistant District Judge were assigned as EEC officials across the country. The EC asked the EEC officials to submit the reports within three days of completing the investigation into the allegations. On receiving the reports and recommendations, the EC would take necessary action against the candidates involved in violation of the Code of Conduct.⁹ The EC was determined to hold the eighth JS elections in a free fair and impartial manner.

The new law empowered the armed forces during the election duties to arrest without warrant and make seizure, duty usually performed by police. However, the amended law authorized the EC to take positive action against the members of the law enforcing agencies if they failed to discharge their election duties without explaining any reason. The Election Commission issued cautionary notices against a total of 176 candidates for violating election Code of Conduct (COC). These notices were issued only after the district Electoral Enquiry Committee's found them guilty of violating Code of Conduct, mostly relating to wall writing, big size of coloured posters, using microphone beyond permissible times, big size portraits, setting up camps and gates and processions with motor vehicles.¹⁰ In the warning notices, the EC directed the candidates to follow the COC. The EC issued notices upon a number of candidates of AL, BNP, JP (Ershad), JP (M), JP (N-F) and Jamat-i-Islami.

Results of the Eighth *Jatiya Sangsad* elections

The eighth JS elections were held on 01 October 2001, with enthusiasm and spontaneous participation of the voters. There was an unprecedented voter turnout of 75.59 percent, which indicated people's political consciousness. The people through their exercise of voting rights expressed support for democracy and continuation of constitutional process in the country. Polls were held in 299 seats as election was postponed in Cox's bazaar-3 due to death of a candidate. The elections to the eighth JS was held relatively peacefully and in a free and fair atmosphere with massive turnout of voters everywhere in the country. The huge turnout of female voters gave the polling a festive look in almost all the places excepting a few where trouble erupted. Reports of obstruction to votes of minority communities in a number of constituencies were received. Polling in 132 centres out of the country's 30,000 centres was suspended following violence and other irregular practices.¹¹ As tight security measures were taken by the EC deploying armed forces, BDR, Police, *Ansar* and VDP, the voters enthusiastically participated in the polls.

Table 7.1

Results of the Eighth Parliamentary Elections, 1 October 2001

Name of Parties	Candidates Contested	Votes obtained	% of Valid votes polled	No of Seat won
BNP	252	22,833,978	40.97	193
Awami League	300	22,365,516	40.13	62
Islami Jatiya Oikya Front	281	4,038,453	7.25	14
Jamat-i-Islami	31	2,385,361	4.28	17
Independent	486	2,262,073	4.06	6
Jatiya Party (N-F)	11	621,772	1.12	4
Islami Oikko Jote	7	376,343	0.68	2
Jatiya Party (M)	140	243,617	0.44	1
Krisak Sramik	39	261,344	0.47	1
Janata League				
Total	1939	55,736,625	100	300

Source: Compiled by the researcher from Bangladesh Election Commission, Dhaka, 2008.

In the eighth JS elections, BNP won 193 seats and emerged as a single largest party; while AL won 62 seats and emerged as the main opposition party in the parliament. Jamat-i-Islami won in 17 seats and Jatiya Party (Ershad) in 14 seats securing the third and fourth positions in the election. Jatiya Party (N-F) won in 4 constituencies; IOJ won in 2 seats; independent candidates won 6 seats and Bangladesh Krishak Sramik Janata League won in the single constituency. A total of 6 female candidates won in the eighth JS elections.

Election Results and Reaction of the Opposition

AL Chief Sheikh Hasina accused that people had rejected the results of the eighth JS elections as their hopes and aspirations were not reflected in the election results, although various national as well as international observers recognized the eighth JS elections as free, fair and neutral. AL demanded fresh parliament elections by canceling 1 October polls. Sheikh Hasina announced a six day action programs that included holding of protest procession in Dhaka on 5 October, demonstrations and protest rallies across the country from 6 to 9

October 2001 and laying siege around Dhaka on 10 October. She further said that her party MPs would neither take oath nor join the parliamentary proceedings.¹² Protest rallies of AL were held in the wards of Dhaka and other Cities, District and Thana headquarters across the country on 6 October to press the demands for holding fresh polls by canceling 1 October parliamentary elections. The road blockade program of AL was staged peacefully in Dhaka on 10 October. Sheikh Hasina said, AL did not resort to violence during the polls, because it was committed to practice of democracy. When the parliamentary opposition failed to win majority seats in the general elections, they rejected the elections results and verdict of the people. This attitude of the opposition is an obstacle to the democratic consolidation in the country.¹³ In the face of opposition's rejection of results of the eighth JS elections, international agencies and national leaders requested the opposition (AL) to accept the verdict of the people.

Opposition urged to accept the election's results

Former U.S. President Jimmy Carter urged the AL to accept the results of elections and act responsibly in order to strengthen democratic institutions of Bangladesh in the long term. He said, AL played an important role for promoting democracy in Bangladesh and this is a role that must continue in opposition. This is the essence of democracy. Mr. Carter in his statement referred to the international and domestic observer's reports about the election and said, eighth JS elections were conducted generally in accordance with international standards. He expressed the hope that all parties in Bangladesh would carry out the commitments to move Bangladesh towards a peaceful, cooperative and prosperous future.¹⁵

The European Union's Election Observer Mission in Bangladesh (EU-EOMB) considered that the electoral process guaranteed sufficient conditions of freedom and fairness and represents an important step towards democratic

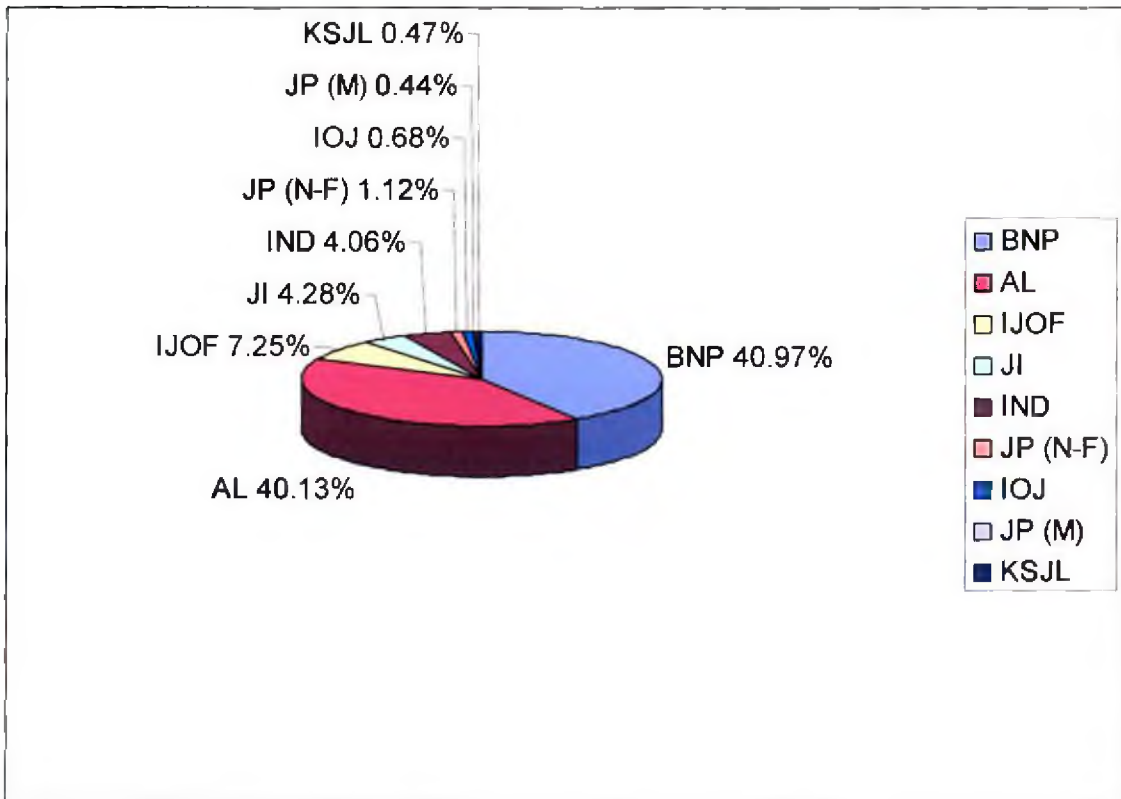
development. Joaquim Mirandan Da Silva, Chief of EU observers said, Bangladesh had shown their strong commitment in furthering democracy in the country. He said that 31 long-term observers were deployed in 14 regional offices since August 27 and 72 observers were present in more than one third of all constituencies and more than half of the 64 districts of Bangladesh.¹⁴ Apart from the international leaders, the President of the Republic, the Prime Minister and Speaker of the House requested the opposition to accept the public opinion reflected in the eighth JS elections.

President Justice Shahabuddin Ahmed requested the opposition to discharge their constitutional duties honouring people's verdict and being faithful to their conscience. He urged all elected representatives to forget their past differences and to make the new JS effective and meaningful. Terming the JS as a sacred institution and a grand assembly of all political parties, he called for making the House into a nerve-centre of all activities of the state.¹⁶ Prime Minister Begum Khaleda Zia called upon the main opposition AL to join the JS sessions to perform the constitutional responsibilities vested in them by the people. She said in her maiden address as Leader of the House "People elected the MPs of the parliament by vote. All MPs would be given the floor to speak on all issues of national importance."¹⁷

Speaker of the House Barrister Jamiruddin Sirkar pledged his neutral role in the parliament and proper evaluation of the Leader of Opposition and opposition legislators. In his opening remarks to the eighth JS, he hoped that the opposition would play their due role in upholding the democratic system. The Speaker said: "It is duty of both the ruling party and the opposition to uphold the image and dignity of the sacred parliament."¹⁸ Success of parliamentary democracy largely depends on the right to participation of opposition. To make the JS effective, cooperation and consensus between the treasury bench and the opposition is inevitable.

Diagram 7.1

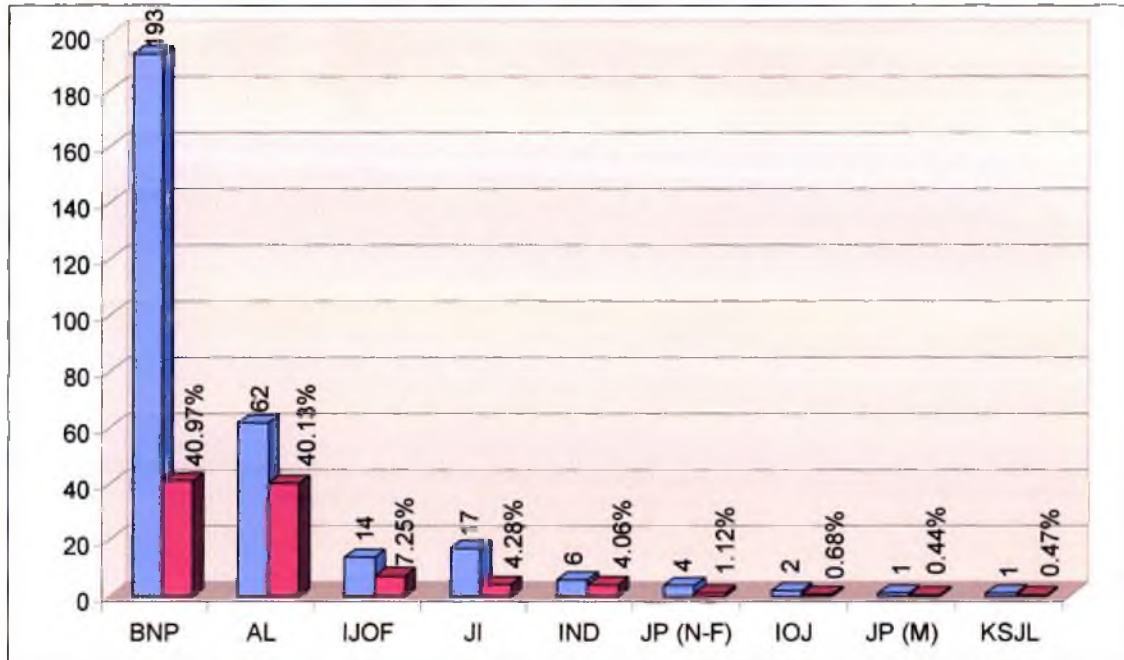
Graphical Presentation of Votes Obtained by the Parties in the Eighth Jatiya Sangsad Elections, 1 October 2001



From the diagram 7.1, we can see that in the eighth *Jatiya Sangsad* elections, BNP secured the highest percentage (40.97%) of votes; while AL secured 40.13 percent of votes and emerged as the main opposition party in the parliament. IJOF received 7.25 percent; while Jamat-i-Islami received 4.21 percent of votes. Independent candidates received 4.06 percent, JP (N-F) received 1.12 percent, IOJ received 0.68 percent, JP (M) received 0.44 percent and KSJL received 0.47 percent of voted casted in the eighth JS elections.

Diagram 7.2

Graphical Presentation of Votes and Seats Obtained by the Parties in the Eighth Jatiya Sangsad Elections, 1 October 2001



From the diagram 7.2, we can see that though the BNP won highest number of seats (193) in the eighth *Jatiya Sangsad*, the percentage of votes (40.97%) was slightly higher than the AL (40.13%). On the other hand, IJOF won in the 14 constituencies and JI won 17 constituencies. IJOF received more votes compared to JI but won fewer seats in the eighth *Jatiya Sangsad* elections. JP (N-F) won 4 constituencies, IOJ won 2 constituencies, JP (M) and BKSJL obtained single constituency respectively. However, with 62 seats AL's strength in parliament was no less than an ideal opposition. With this strength, AL failed to play its role as it had to pacify its frustrated party stalwarts.

Formation of Government

The newly elected MPs belonged to the BNP-led four party alliances took oath at the JS Bhaban on 9 October 2001 heralding the beginning of the eighth JS. As per provision of the Rules of Procedures of JS, the Speaker first took oath

(Rule 5 of section 3) himself before administering the oath of other elected MPs.¹⁹ The Election Commission earlier published through gazette notifications the names of 283 MPs elected in the 1 October general elections. Of them, a total of 203 MPs belonged to the BNP-led Alliance took oath on the first day of the three day fixed by the Speaker. AL MPs took oath on 24 October but refrained from joining the parliamentary proceedings. BNP chairperson Begum Khaleda was sworn in as Prime Minister at the Darbar Hall of *Bangabhaban* on 10 October 2001. President of the Republic Justice Shahabuddin Ahmed administered the oath of office and secrecy to the Prime Minister, 27 Ministers, 28 State Ministers and four Deputy Ministers.²⁰ The main opposition AL boycotted the swearing in ceremony of the BNP-led Four-Party Alliance government headed by Begum Khaleda Zia at *Bangabhaban*.

Presidential Election and Opposition

Professor A.Q.M. Badruddoza Choudhury, Foreign Minister and Deputy Leader of the eighth JS was poised to become President of the Republic as he was the lone candidate from the ruling coalition. No nomination was filed by the main opposition in the Parliament. A career physician-turned into politician, Professor Choudhury was the founding Secretary-General of BNP in 1978. He served as the Deputy Prime Minister in 1979 during Ziaur Rahman regime, Deputy Leader of the House in the fifth JS and Deputy Leader of the opposition in the seventh JS. Professor Choudhury was elected as the President uncontested on 12 November, 2001 and was sworn-in as the 13th President of the Republic at the Darbar Hall in *Bangabhaban* on 14 November.²¹ The main opposition AL boycotted the swearing in ceremony of the President.

Opposition in the Eighth *Jatiya Sangsad*

The country's eighth JS started its journey on 28 October 2001 amidst boycott by main opposition AL. The parliamentary session began at 10 am with the Speaker of the seventh JS Advocate Abdul Hamid in the chair. Excepting the

AL; the MPs of other opposition Jatiya Party (Ershad), Jatiya Party (Manju), Abdul Kader Siddiqui of Krishak Sramik Janata League and independent MPs joined at the inaugural session of the eighth JS. The House elected new Speaker and Deputy Speaker. Advocate Abdul Hamid conducted the election before leaving the House. Barrister Jamiruddin Sircar and Akhter Hamid Siddiqui were elected unanimously the Speaker and Deputy Speaker of the eighth parliament respectively. The newly elected Speaker and Deputy Speaker were sworn in by President Justice Shahabuddin Ahmed at President's Chamber in JS. ²²

Table 7.2

List of Working Days in the Eighth Jatiya Sangsad and Opposition Participation

Sessions	Total Working days	Total Working hours	Working days for Government MP	Working days for opposition MP
First (28.10.01-02.12.01)	19	59.59	16	3
Second (31.01.02-10.04.02)	37	124.00	31	6
Third (04.06.02-15.07.02)	24	79.23	23	1
Fourth (12.09.02-17.09.02)	4	19.03	3	1
Fifth (14.11.02-27.11.02)	10	22.08	8	2
Sixth (26.01.03-11.03.03)	24	91.19	20	4
Seventh (08.05.03-13.05.03)	4	14.38	3	1
Eighth (10.06.03-15.07.03)	25	92.12	24	1
Ninth (11.09.03-18.09.03)	6	23.21	4	2
Tenth (16.11.03-19.11.03)	4	10.48	4	-
Eleventh (18.01.04-17.05.04)	43	126.14	34	9
Twelfth (09.06.04-14.07.04)	25	98.08	2	1
Thirteenth (12.09.04-16.09.04)	4	14.44	3	1
Fourteenth (28.10.04-02.12.04)	11	28.40	8	3
Fifteenth (31.01.05-15.03.05)	22	72.44	18	4
Sixteenth (12.05.05-17.05.05)	4	09.58	3	1
Seventeenth (07.06.05-10.7.05)	22	64.52	21	1
Eighteenth (08.09.05-21.09.05)	9	24.58	7	2
Nineteenth (20.11.05-24.11.05)	5	13.53	4	1
Twentieth (23.01.06-28.02.06)	20	81.59	18	2
Twenty 1 st (27.04.06-09.05.06)	7	26.55	5	2
Twenty 2 nd (07.06.06-12.07.06)	26	81.48	25	1
Twenty 3 rd (10.09.06-04.10.06)	18	57.46	15	3
Total	373	1239.30	321 (86.06%)	52 (13.94%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

Table 7.2 reveals that in its 23 sessions of the eighth JS, among the 373 working days, a total of 52 working days were allotted for the opposition Members of Parliament; while 321 days were fixed for the MPs of the ruling party and its alliances. During the eighth JS, ministers and state ministers of different ministries answered 11,081 starred questions and 2,898 non-starred questions. Leader of the House and Prime Minister Begum Khaleda Zia attended the session for 195 working days out of 373 working days; while the Leader of Opposition Sheikh Hasina attended below 50 working days. Among the 23 sessions, the highest numbers of working days (9 days) were allotted for the opposition in the eleventh session. Among the 23 sessions of the eighth JS, 185 bills were passed. The most important obsession was that the main opposition AL did not support any of these bills. On the contrary, the ruling party did not make any change in their decision due to the objection of the opposition and did not implement any advice given by the opposition. However, the main opposition was participated various legislative techniques inside the parliament.

Calling Attention to Matters of Urgent Public Importance

In the eighth JS the opposition used a common parliamentary device: calling attention to matters of urgent public importance. According to Rules of Procedure of Parliament (Rule-71), any member may, with the permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date.²³ During the eighth parliament, 109 notices of calling attention were raised by the opposition in the House as can be seen from table 7.3. The following issues were raised included among others: establishment of digital telephone exchange, establishment of electric power plant, formation of education board in Rangpur, transfer of Karmical college to a complete university, establishment of a science and technology university in Dinajpur, problem of Rangpur Medical College Hospital, ensure of electricity

supply to every village, re-open of train line from Rajbari to Bhatia Para, construction of bridge in the Madaripur district, supply of government aid to the cyclone hit regions of Tangail, protection of river ports in the Gaibandha district, construction of roads in Faridpur district, protections of sugar mills of the country, establish a service centre in Panchagar district, re-construction of

Table 7.3

List of Calling Attention to Matters of Urgent Public Importance (Rule-71) in the Eighth Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notices
First	1039	45	737	04
Second	1467	72	877	02
Third	925	51	611	08
Fourth	170	03	137	01
Fifth	267	09	222	01
Sixth	581	39	354	08
Seventh	164	09	95	01
Eighth	902	51	569	12
Ninth	238	12	137	02
Tenth	134	09	65	01
Eleventh	1110	99	561	17
Twelfth	396	21	249	02
Thirteenth	75	15	60	-
Fourteenth	327	24	192	09
Fifteenth	479	51	180	11
Sixteenth	82	06	31	02
Seventeenth	165	15	80	02
Eighteenth	215	15	122	01
Nineteenth	140	09	73	01
Twentieth	533	36	325	07
Twenty 1 st	207	12	137	04
Twenty 2 nd	334	21	196	06
Twenty 3 rd	461	36	283	07
Total	10411	660 (100%)	9642	109 (16.52%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

roads in Kustia district, construction of speed-breaker in the highways all over the country, more emphasis on science and technical education and use of Bengali language in computer technology, introduction of V.G.F. program and interest-free agricultural loan among the farmers, re-constructions of

communication system of Moulavibazar district, construction of Padma bridge on the Padma river, protection of aids and ensure treatment facilities, sanctions of new agricultural loan for farmers, set up new gas line in the country, transfers of auto-digital telephone exchange to the multi-digital exchange, increase the quantity of IRRI, Boro collection and extension of time, expansion of Rural Electrification in the Lalmonirhat district, distribution of certificates to the Muktijodda, legalize the Voice Over Internet Protocol (VOIP) phone, rehabilitation of river erosion people's of Gaibandha, construction of fertilizers factory in the northern regions of the country, ensure security and facilities for the tourists and set up a international standard port in Cox's Bazaar, various problems of Rangpur Medical College Hospital, increase manpower in government primary schools, take measures to solve potato seeds crisis, proper initiatives against the push in of India, introduction of allowances for elderly peoples, implementation of MOU regarding the manpower supply to Malaysia, open CCU to every district level hospital, issue of identity card for all citizens of Bangladesh, introduction of Ansar and VDP bank to every upazilla and modernization of Bangladesh Medical and Dental Council.

Discussion on Matters of Urgent Public Importance for Short Duration

During the eighth JS, the opposition members of the Parliament duly participated in the discussion on matters of urgent public importance for short duration (Rule-68). According to the Rule-68 of the Rules of Procedure of Parliament, any member desirous of raising discussion on matters of urgent public importance may give to the Secretary, not less than two days before the date on which he/she intends to raise the discussion, notice in writing supported by the signatures for at least five other members and specifying clearly and precisely the matter to be raised: Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question.²⁴ Table 7.4 shows in the eighth JS, a total of 10 notice were accepted

Table 7.4

Discussion on Matters of Urgent Public Importance for Short Duration (Rule-68) in the Eighth Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	16	1	15	-
Second	15	3	12	-
Third	27	1	26	01
Fourth	35	2	33	02
Fifth	18	0	18	-
Sixth	29	0	29	-
Seventh	06	0	06	-
Eighth	12	0	12	-
Ninth	18	0	18	-
Tenth	01	0	01	-
Eleventh	03	0	03	-
Twelfth	17	2	15	-
Thirteenth	07	0	04	-
Fourteenth	02	1	01	01
Fifteenth	09	0	09	-
Sixteenth	-	-	-	-
Seventeenth	-	-	-	-
Eighteenth	04	0	04	-
Nineteenth	-	-	-	-
Twentieth	04	0	04	-
Twenty 1 st	03	0	03	-
Twenty 2 nd	-	-	-	-
Twenty 3 rd	-	-	-	-
Total	226	10	213	04 (40%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

by the House. Among these accepted notices four were raised by the opposition Members of Parliament. The following issues were raised: deterioration of law and order of the country, protection of dengue and price hike of the daily essentials.

Motion of Special Privileges

During the eighth JS, the opposition Members of the Parliament duly participated in the special privileges motions (Rule-164). According to the Rule-164 of the Rules of Procedure of Parliament of the People's Republic of

Bangladesh, a member wishing to raise a question of privilege shall give notice in writing to the Secretary two hours before the commencement of the sitting

Table 7.5

List of Special Privileges Motions (Rule-164) in the Eighth Jatiya Sangsad and Opposition Participation

Sessions	Notices Received	Notices Accepted	Notices Dismissed	Opposition Notice
First	12	1	11	-
Second	6	1	03	-
Third	35	0	35	-
Fourth	17	1	16	01
Fifth	15	0	15	-
Sixth	11	6	05	06
Seventh	01	0	01	-
Eighth	08	1	03	-
Ninth	01	0	01	-
Tenth	01	1	00	-
Eleventh	03	1	00	01
Twelfth	06	0	06	-
Thirteenth	07	0	07	-
Fourteenth	01	0	01	-
Fifteenth	03	0	03	-
Sixteenth	01	0	01	-
Seventeenth	-	-	-	-
Eighteenth	-	-	-	-
Nineteenth	-	-	-	-
Twentieth	01	0	01	-
Twenty 1 st	05	0	05	-
Twenty 2 nd	07	0	02	-
Twenty 3 rd	-	-	-	-
Total	141	12 (100%)	129	08 (66.67%)

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

on the day the question is proposed to be raised. Provided that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised to any time during the course of a sitting after the disposal of question.²⁵ Table 7.5 shows that a total of 12 notices were accepted by the House. Among these accepted notices 8 were raised by the opposition Members of Parliament. The following issues were raised by the opposition members for discussion: not granting division for a MP in the jail, the army

raided the residence of a MP in Dhaka and his village, army arrested a MP, police attacked to a MP in the demonstration program on 30 January 2003, arrested a MP without order of warrant on 1 November 2002, not supplying of newspapers to an MP in the jail and an MP was not nominated the chairman of a educational institution. Apart from these formal procedures, the parliamentary standing committees are the most important vehicles through which the opposition can act to hold the government accountable.

Committee System

Table 7.6 provided data on the nature and number of committees set up by eighth JS in Bangladesh. The eighth Parliament had 48 standing committees and 131 subcommittees. These committees and subcommittees had held 1157 and 421 meetings respectively. Different ministerial committees also produced 12 reports. However, the committees of the eighth Parliament did not appear to

Table 7.6

Broad Grouping of the Standing Committees in the Eighth Jatiya Sangsad and Opposition Participation

Ministerial Committees	Finance and Audit Committees	Other Committees	Standing Committees	Total
Standing Committees on each Ministry	Committees on Public accounts; Estimates; Government Assurance; and Public Undertakings	Committee on Business Advisory; Privileges; Library; House; Member's Bills	Special Petition; Private	
37	3	8		48

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

be different than their predecessors, especially in making the government behave. They were alleged to have failed to perform their primary job of overseeing the government activities or continuing positively to the legislative process. The major complaints included: gross irregularity in holding meetings, improper application of the Rules of Procedure, indifferent attitude towards the

concern ministries' functioning, uncritical endorsement of departmental positions, dealing more with the irregularities of the previous regime, failure to ventilate public grievances through discussing vital issues of socio-economic and political realm, unwilling to accommodate the opposition viewpoints, committee members' partisan approach and parting of the ways along party line.²⁶

The major opposition accused that the ruling party did not follow the principle of proportional representation in the distribution of committee membership. Nor did it allocate any chair positions to the opposition. The parliamentary standing committees in the eighth JS were faced severe pressure from the government high-ups and failed to investigate the irregularities of various Ministries. The opposition accused the Minister's and high officials of various ministries' of non-cooperation with the committee moves and non-implementation of their recommendations. The parliamentary standing committees perform a vital role in strengthening the parliamentary democracy. But the parliamentary standing committees in the eighth JS have failed to ensure the accountability of the various Ministries due to the lack of willingness of the treasury bench.²⁷ Thus far we have discussed the procedures by which the opposition performs its role for ensuring the accountability of the government. When the opposition failed to do so constrained by the ruling party it resorted to walkouts from the parliamentary sessions.

Walkouts by the Opposition

Since the days of first session on 28 October, 2001 for the next one and a half-year the main opposition Awami League stayed off the *Sangsad* boycotting its session. Awami League returned to the JS once in between but stayed out again. The AL law makers again came to the House during its 21st session to maintain the mandatory constitutional obligation to retain membership as absence of consecutive 90 days disqualifies one's membership of parliament.

In the eighth JS, first incident of walkout occurred on 6 March, 2002. Bangabir Kader Siddique (*Bir Uttam*), Leader of the Krishak Sramik Janata League demanded point of order but the Speaker refused. Condemning violation of Rules of Procedure of the JS by Speaker, KSJL walked-out from the Parliament. During the eighth JS, combined opposition party walked-out from

Table 7.7

List of Walkouts by the Opposition MPs in the Eighth Jatiya Sangsad

SL. No.	Name of Party	Walkouts (Times)
1	Awami League	74
2	KSJL	15
3	Jatiya Party (A)	07
4	Independents	03
5	Bikalpa Dhara Bangladesh	01
	Total	100

Source: Bulletin of the Eighth *Jatiya Sangsad* (Session: 1-23), Parliament Secretariat, Dhaka.

the House 95 times. Awami League in its 150 working days, walked-out for 74 times. KSJL in its 373 working days, walked-out for 15 times. Jatiya Party walked-out for 7 times. Independent members in their 373 working days, walked-out for 3 times and Bikalpa Dhara Bangladesh walked-out for only one day. The maximum number of walkouts staged in the eighth JS in protest against the introduction and enactment of bills. By opposing introduction and enactment of bills, opposition staged walkout 16 times. Protest against allowing speech in the point of order, opposition walked-out 13 times. Protest against unpleasant remarks of the ruling party, opposition walked-out 11 times. Opposition demanded discussion regarding the grenade attack on the Awami League meeting on 21 August 2004, opposition walked-out 4 times and for other reasons opposition walked-out 74 times. The most remarkable incident occurred in the sixth session of the eighth JS on 19 February 2003. On that day AL, Jatiya Party, KSJL jointly walked-out from the Parliament. While walkout is a formal option to the opposition to protest the behaviour of the treasury

bench, boycott is an extra-parliamentary technique the opposition counts on as a last refuge.

Boycotts by the Opposition

Among the 373 working days of the eighth JS, the main opposition AL boycotted the house for 223 working days. Table 7.8 shows the feature of boycott by the opposition MP's in the eighth JS. The main opposition AL boycotted the JS proceedings in the third session for 18 working days, sixth session for 1 working day, eighth session for 15 working days, eleventh session

Table 7.8

List of Boycotts by the Opposition MPs in the Eighth Jatiya Sangsad

Sessions	Total Working days	Present (Days)	Boycott (Days)
First	19	-	19
Second	37	-	37
Third	24	06	18
Fourth	04	04	-
Fifth	10	10	-
Sixth	24	23	01
Seventh	04	04	-
Eighth	25	10	15
Ninth	06	-	06
Tenth	04	-	04
Eleventh	43	01	42
Twelfth	25	21	04
Thirteenth	04	03	01
Fourteenth	11	10	01
Fifteenth	22	-	22
Sixteenth	04	-	04
Seventeenth	22	-	22
Eighteenth	09	-	09
Nineteenth	05	-	05
Twentieth	20	10	10
Twenty 1 st	07	07	-
Twenty 2 nd	26	24	02
Twenty 3 rd	18	17	01
Total	373 (100%)	150 (40.21%)	223 (59.79%)

Source: Bulletin of the Eighth *Jatiya Sangsad* (Session: 1-23), Parliament Secretariat, Dhaka.

for 42 working days, twentieth session for 10 working days, twenty second session for 2 working days and twenty third sessions for 1 working day. The main opposition completely boycotted the House in the first session, second session, ninth session, tenth session and fifteenth to nineteenth sessions. The main opposition AL boycotted the JS proceedings for 223 working days which was 59.79 per cent of the total (373) working days. Rules of Procedure of the Parliament permitted the opposition's walkout from the House; but boycott is an extra-constitutional technique which hampered the normal functions of the JS. Prolonged boycotts from the House are non-democratic behaviour of the opposition which is the impediment of proper working of the parliamentary democracy in the country.²⁸ Rigid attitude between the treasury bench and the opposition regarding the issues of national importance inside the JS has resulted the opposition's boycott from the parliamentary proceedings. The opposition boycotted the parliamentary session and arranged alternative programmes outside the JS to make the government accountable. Apart from opposition's prolonged boycott from the parliamentary sessions, the opposition accepted some methods outside the JS.

Opposition outside the *Jatiya Sangsad*

In order to create pressure upon the government to accept various demands, the opposition outside the eighth JS adopted some techniques such as organized processions, demonstrations, *hartals*, public meetings, public rallies, strikes, blockade, formed human chain, mass hunger strikes etc. During the first session of the eighth JS, the main opposition AL enforced 8 hour hartal in the capital on 2 December 2001 in protest against the government's move for 'Repeal of Father of the Nation's Family Members Security Act 2001' and suppress the opposition leaders, workers and the minority communities.²⁹ The aforesaid Act provided state security for the Opposition Leader and former Prime Minister Sheikh Hasina and her sister Sheikh Rehana, two surviving daughters of *Bangabandhu* Sheikh Mujibur Rahman.

During the second session, the treasury bench passed the 'Repeal of Preservation and Display of the Portrait of Father of the Nation Bill 2002' in the JS. Jatiya Party MP Golam Mohammad Quader, Dr. T.I.M. Fazle Rabbi, Tajul Islam Chowdhury and Golam Habib Dulal ; KSJL leader Abdul Kader Siddiqui and independent MP Delwar Hossain opposed the passage of the Bill. Abdul Kader Siddiqui, President of KSJL and independent MP Delwar Hossain staged walkout from the parliament before passage of the bill. AL MPs staged a demonstration and brought out a procession inside the JS building during the passage of the bill. A total of 35 AL MPs wore black badges and carried black flags in their hands and chanted slogans against the bill and in favour of *Bangabandhu* Sheikh Mujibur Rahman during the demonstration and procession. Later they came out of the JS building in a procession. Different front organization of AL organized rallies and demonstrations from 18 to 23 March 2002 across the country.³⁰

AL observed 'mass hunger strike' on 24 March 2002 amidst police attack on the leaders and workers of the party and tight police restrictions around the venue 'Osmani *uddyan*.' AL announced new action programmes including country-wide dawn to dusk *hartal* on 16 April, demonstration in Dhaka city on 28 March and demonstration across the country on 30 March in protest against police obstruction to the mass hunger strike and 'Repeal of Preservation and Display of the Portrait of Father of the Nation Bill 2002' and repression on opposition activists and minority communities.³¹

BNP-led four-party alliance government passed 'Law, Order Disruptive Crimes Speedy Trial Bill' on 9 April 2002 in the JS. Jatiya Party (Ershad) and KSJL MPs walked out from the House while the main opposition AL demonstrated outside the JS against the bill. AL legislators led by Abdus Samad Azad, Zillur Rahman and Deputy Leader of the Opposition Abdul Hamid in a procession outside the JS Building raised slogan calling it a 'jungle law.'³² After formation of the eighth JS, the main opposition AL for the first time joined the

parliamentary session on 24 June 2002. A total of 54 opposition legislators led by Opposition Leader Sheikh Hasina joined the session, ending their eight months prolonged boycott from the House. AL lawmakers were in the House for about two hours and walked out when the Speaker refused a point of order. The main opposition AL staged walkout for second time after joining parliament and decided to abstain from the House till 30 June 2002. The opposition leader said, 'It is the right of the opposition members to have equal time in the budget discussion, but we are not getting our time. Rather, the microphones were switched off before the allocated time.'³³

During the ninth session of the eighth JS, the main opposition AL has decided to stay out of the JS on the first day of budget session of 2003-2004, but other opposition parties JP (Ershad), JP (Manju) and KSJL attended the parliamentary proceedings. The main opposition accused the Speaker refused to allocate sufficient time and floors to the opposition legislators in the House. AL members had walked out from the House on 25 June 2003 in protest of state minister Alamgir Kabir's abusive language against Opposition Leader Sheikh Hasina. On 26 June 2003, the opposition decided not to return to parliament until their three-point demand would not be met. The three points were: i) expunging specifically all abusive and filthy words uttered by state minister Alamgir Kabir about the opposition leader; ii) he would have to regret, seek apology and withdraw his remarks; and iii) Assurance of conducting JS as per Rules of Procedure and the Constitution. The main opposition AL called dawn to dusk *hartal* on 28 June in protest against the government proposed anti-people budget, repression and persecution on the leaders and workers of the opposition and failed to improve law and order situations, combat killing and price hike of the essentials.³⁴

During the fourteenth session the opposition lawmakers demanded a fresh discussion regarding the grenade attack on AL rally on 21 August 2004 and urged the Speaker to allow the opposition members to speak. The main

opposition walked out from the House as the Speaker rejected the opposition demand. The top leaders of the mainstream opposition parties addressed a combined rally at Teknaf at Cox's Bazar on 28 November 2004 as part of their preparatory programmes to mobilize public opinion for the December 11 human chain to show no-confidence to the four-party alliance government. Another such rally held at Tentulia in Panchagarh on 29 November 2004. The combined rallies witnessed the first public appearance of key opposition leaders on a common platform in the anti-government movement since the four-party alliance took oath in 2001. At the rallies, the opposition leader explained their nine-point charter of demands with the ultimate goal of ousting the alliance government and urged the people to join the united movement to this end.³⁵

AL legislators walked out from JS as Speaker turned down their demand for an all party parliamentary committee to investigate the 21 August grenade attack and discussion on the judicial probe report into the same incident. Addressing a public meeting at Tentulia bus stand, the opposition lawmakers blasted the alliances government for its absolute failure to tackle the deterioration of law and order, curb price essentials, crossfire deaths in the Rapid Action Battalion (RAB) custody, grenade attack on AL's *Bangabandhu* Avenue rally, *monga* and verdict of the jail killing case etc.³⁶ From the beginning of the eighth JS, the opposition was not given enough opportunity to discuss the national issues of the country. As a result of opposition's prolonged boycott from the JS session, the role of opposition has remained largely ineffective and JS has become the ruling party dominating parliament.³⁷

During the fifteenth session the main opposition AL and its allies enforced another spell of country-wide *hartal* on 3, 5 and 6 February 2005 in protest against the killing of AL lawmaker and former finance minister S.A.M.S. Kibria and grenade attack on four AL activists on 27 January. Apart from *hartal* programme, the AL brought out mourning procession on 4 February

2005 and held rallies across the country on 7 and 8 February to protest the killing of Kibria and four others in the grenade attack on a party rally. The AL lawmakers gathered at Russel Square in Dhanmondi and began to march towards the JS Bhaban. Carrying black flags and wearing black badges, the AL MPs entered the Sangsad Bhaban at about 4 pm. As the Speaker went to his chamber during the magreb break, the AL lawmakers gathered in front of the Speaker's chamber and raised slogans against him. They staged demonstration there for over an hour and kept the Speaker confined at his office.³⁸ Earlier, the AL lawmakers walked out from a meeting of Business Advisory Committee in protest against the speaker's refusal to meet their demand of adjourning the House after the obituary reference and deferring the President's speech for another day

The main opposition AL, left 11-party alliance and JSD (Inu) announced a series of agitation programmes, including dawn to dusk *hartal*, forming human chains in cities and district towns and in all upazilla, demanded trial of all killings in bomb attacks and arrest of criminals involved in the biggest ever arms smuggling. Besides country-wide 'hunger processions' would be organized on 23 March and country-wide demonstration would be arranged on 20 March against the rise of extremist groups and militancy activities. The opposition also expressed solidarity with the programmes of Sramik Karmachary Oikya Parishad (SKOP).³⁹

AL, left leaning 11-party alliance, JSD (Inu) and NAP formed separate human chains on 13 March 2005 in the capital and all divisional and district headquarters, demanded immediate resignation of the four-party coalition government to pave the way for an early general elections. The demonstrators carried banners and placards written with anti-government slogans during the hour-long programme that started at 4 pm and ended peacefully amidst tight security measures by the government. Apart from the opposition leaders and workers, members of various professional groups, teachers, students, cultural

activists and trade unionists joined the programme at the call of the mainstream opposition parties.⁴⁰

The four-party alliance government cancelled the state mourning day of 15 August which was introduced by the AL government in 1996. AL observed a 6-hour country-wide *hartal* on 15 August 2005 to protest the coalition government's cancellation of 'national mourning day' on the day *Bangabandhu* Sheikh Mujibur Rahman was assassinated in 1975. The main opposition party had marked the first anniversary of the August 21 grenade attacks on an AL rally and brought out an anti-violence procession from the central *Shaheed minar* to reach its central office on *Bangabandhu* Avenue where the carnage took place.⁴¹ In the parliamentary form of government, functions of the JS are vital. National development of a country largely depends on appropriate working of the JS. Cooperation and consensus among the main political parties can make the parliament effective and lively. The main opposition AL accused BNP-led four-party alliance government of politicizing the administration and not ensure a level playing field for the opposition inside the parliament. Apart from its various activities outside the JS, the main opposition AL and its allies formulated a reform proposal to the government as regards to reforms of Non-party Caretaker Government and Bangladesh Election Commission.

Reform Proposal by the Opposition

The main opposition AL and its allies formulated a common reform agenda for reforms in the Non-party Caretaker Government and Bangladesh Election Commission. These reform proposals were considered crucial against the backdrop of the AL's hints at boycotting the next polls if the government does not implement the proposed reforms. A seven members committee comprised of representatives from AL, 11 party and JSD (Inu).

Secretary level dialogue between the ruling BNP and the main opposition AL on the reforms of Non-party Caretaker Government system and Bangladesh

Election Commission began on 5 October 2006 at JS Bhaban (Standing Committee Room No.1) to break the long stalemate in the country's political arena. During the 75 minutes discussion, Abdul Jalil submitted a charter of 31-point reform proposals.⁴² Highlights of the reform proposals were as follows:

- 1) The President shall appoint acceptable persons as Chief Adviser to the Non-party Caretaker Government in consultation with all the political parties.
- 2) The Ministry of Defence shall be under the Non-party Caretaker Government during its tenure.
- 3) The Chief Adviser and other Advisers shall not be member of any political party or its affiliated organizations.
- 4) The appointments of the Chief Election Commissioner (CEC) and other Commissioners have to be made in consultation with the political parties.
- 5) The Election Commission will have its own independent secretariat free from any executive control.
- 6) Change of definition of the law enforcing agencies and giving them arresting authority (through rules 87 and 89(A) of P O No. 155 of 1972) by the previous caretaker government have to be cancelled.
- 7) Jurisdiction of the armed forces and the law enforcing agencies during the election period as per the Representation of People's Order of 1972 and the election Act of 1992 will have to be reinstated.
- 8) Computerized voter lists and voter identity cards will have to be prepared and electronic voting will have to be introduced.
- 9) Transparent ballot boxes will have to be arranged with serial numbers.
- 10) No one will be eligible as election candidate if he/she or any of his/her family members in a loan defaulter or own black money.
- 11) No political party will nominate any criminal and black money holder.
- 12) All kinds of misuse of religion and communal campaign will have to be banned as declared as punishable offence.

A series (six rounds) of dialogue between the BNP-led ruling alliances and the 14-party alliance were held from 5 October to 23 October 2006 to break the long political impasse on the reforms agenda proposed by the opposition parties. The sixth and final round secretary level dialogue between Abdul Mannan Bhuiyan and Abdul Jalil ended on 23 October 2006 without any consensus regarding the reforms of Non-party Caretaker Government and Bangladesh Election Commission.

The 14-party opposition alliance announced that they would neither accept Justice K. M. Hasan as Chief Adviser of Non-party Caretaker Government nor they would participate in the elections under him. The opposition also accused that Mr. Hasan is a BNP man who served as international affairs secretary to the party. A high profile lawmakers of four-party alliance government in the meantime insisted on handing over power to Justice K. M. Hasan as per the constitutional provision. Prime Minister Begum Khaleda Zia on 27 October appealed to the people for maintaining peace across the country in the run up the next general election; as her tenure ended amidst a political confrontation. Begum Zia said, "We are going to handover power to Caretaker Government in accordance with the Constitution. The next general election will be held within 90 days under the caretaker government."⁴³

The Culture of Confrontation Continues

During the eighth JS, the ruling party tried to oppress the opposition and in return the opposition reactions with street agitation, hartal, blockade, formation of human chain and violence activities. Popular young leader and an opposition Member of Parliament, Ahsanullah Mastar was killed during a public meeting in 2004. This was followed by a grenade attack on Opposition Leader Sheikh Hasina during a public meeting on 21 August 2004, resulted the death of 21 party activists including opposition women secretary Ivy Rahman. Former finance minister S. A. M. S. Kibria was killed in a grenade attack in Sylhet.

The AL supported Mayor of Sylhet narrowly escaped the third attempt on his life as a grenade thrown on him failed to explode on December 2005. Several opposition leaders including Saber Hossain Choudhury, Mohammad Nasim and Asaduzzaman Nur were hospitalized after being critically injured in police beating while demonstrating in support of electoral law reform in September 2006. In the late October and November 2006, the AL-led alliance observed a series of nationwide demonstrations and blockade programmes centring on the selection of Chief Adviser of Non-party Caretaker Government that would oversee the 2007 elections.⁴⁴ A total of 26 political activists of different political parties died of violence and police firing during this period.

From the above discussion we can say that in the eighth JS elections, AL emerged as the main opposition party in the parliament. The eighth JS commenced its functions amidst boycott by the main opposition. Among the 373 working days in its 23 sessions of the eighth JS, 52 working days (13.94 percent) were allocated for the opposition legislators. Since joining in the House, the main opposition duly participated in the various legislative devices inside the parliament e. g. 109 notices of calling attention to the matters of urgent public importance, 4 notices regarding matters of urgent public importance for short duration, 8 notices of special privileges motions etc. The opposition also participated in the 48 parliamentary standing committees. However, parliamentary standing committees were faced severe pressure from the government high-ups and failed to investigate irregularities of the different ministries. The main opposition boycotted the JS session on the various issues e. g. repeal of Father of the Nation's Family Member Security Act, 2001; repeal of Preservation and Display of the Portrait of Father of the Nation; passing the Law, Order Disruptive Crime Speedy Trial Bill, accusation of grenade attack on the AL rally on 21 August 2004, killing of AL lawmakers i.e. former Finance Minister Shah AMS Kibria and Ahsanullah Master. The main opposition outside the JS adopted various techniques such as organized procession, *hartals*, mass hunger strike, formed human chain and non-

cooperation movement against the government. The mainstream opposition also criticized the government for its various failures to tackle the deterioration of law and order, price hike of essentials, *monga* in the northern regions of the country, grenade attack on AL's rally, political killing and persecution of opposition leaders, workers and minority communities.

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Chapter 8:
**Socio-economic Background of the Members in
the Fifth, Seventh and Eighth *Jatiya Sangsad***

Socio-economic Background of the Members in the Fifth, Seventh and Eighth *Jatiya Sangsad*

In a parliamentary government like Bangladesh, legislature performs an important role in law making activities and promoting socio-economic development. The fifth *Jatiya Sangsad* election under Non-party caretaker Government brought a new change in the parliamentary history of Bangladesh.¹ The fifth JS election paved the way for the re-introduction of parliamentary system of government after one and half decade of authoritarianism. The legislature of Bangladesh is unicameral parliament called *Jatiya Sangsad*. The *Jatiya Sangsad* consists of 300 members are elected through universal suffrage. The fifth and seventh *Jatiya Sangsad* had the provision of 30 reserved seats for women who were indirectly elected by the directly elected 300 members of the JS. From the eighth *Jatiya Sangsad*, the provision of 45 reserved seats for women was introduced. The main objective of this chapter is to delineate the socio-economic background of the members in the fifth, seventh and eighth *Jatiya Sangsad* of Bangladesh.

Socio-economic Background of Political Leadership

In any society, the privilege of formulating policies, taking decisions and making laws at the highest level is generally enjoyed by a small elite group. Depending on the type of government which that society has, this group may come from traditional-noble or wealthy influential families; or it may consist of individuals whose personal qualities may raise them to higher leadership positions. It is also possible that a combination of these qualities would contribute to the formation of the political elite group. Whatever may be the source of origin of this group, every where it performs more or less uniform characteristics drawn mainly from the culture of that society. Only the mode of induction into leadership positions and the base of their power may differ.² In democratic societies, however there will be not just one group of political elite

but several groups, each having a different ideology and each vying with one another for the loyalty of the masses. However, the range of differences of these ideologies, especially in the long run, is limited and will be determined largely by the dominant value system of that society.

Studies on top leadership have assumed two approaches-the elite approach mainly concern with the explanation of leadership in top positions (mostly political elites who have the power to take the ultimate decisions in society) and organizational leadership mainly concerned with the qualities required of an ideal leader in charge of groups and organizations. The first deals with leadership as a phenomenon in all societies. The second deals with leadership as being a set of attributes which are required for achieving organizational objectives and has been taken up by management and organization and to some extent by those engaged in small group dynamics.³ Family, education and economic status of any individual plays a vital role to become a leader i.e. MP of the *Jatiya Sangsad* of Bangladesh.

In all societies, the family exerts great influence on the growth and development of the individual. The unique role of the family as the agent of socialization of the individual and as moulder of his personality has been universally recognized. The socio-economic status of an individual are also determined, to a large extent by his family. In this respect the family may be said to provide the infra-structure for building leadership qualities in an individual. The nature and type of family, its structure and process and the web of affiliations that it builds with other sub-systems in the society-all these contribute to the opportunity structure that individual members within it can have and equipped him with the necessary potential for playing his role in the society.⁴ Apart from the family background, education to a large extent contribute to the making of a political leader.

Education has been universally recognized as a vital factor in the development of human personality. Its contribution to citizenship training has been an

equally important factor. In democracy this has far reaching implications. Democracy requires not only responsible citizens but also political parties and farsighted leaders to create informed and enlightened public opinion among the citizens. As a matter of fact, the degree of political mobilization of the people is dependent on the effort which the political parties put into educate the people. As such education plays a crucial role in the making of a political leader. The legal-rational orientation of democracy makes it absolutely important that those who guide democracy have the expertise to do so. This again points to the special skill which education can give to the political leader.⁵ All societies are stratified by status as well as by economic rewards, and while status and income tend to be related, they are far from identical. Status involves individual distinctions-men and group defined as superior or inferior to other-and it does not follow from what we know about human behavior that men will accept a low social evaluation with equanimity.⁶ Apart from the educational background, the economic status of any individual plays a important role to become a leader i.e. member of the *Jatiya Sangsad* of Bangladesh.

A major factor which influences the life chances of an individual is the economic status of his family of birth. Studies in social stratification show that the economic factor weighs the most heavily in ranking an individual in the class hierarchy while mobility studies highlight the fact that a large proportion of the upwardly mobile individual come from economically better-off families which could provide better education and could use their family influence in securing better economic positions in society for their members than is possible to lower class families. As leadership qualities could be developed only in an environment where the individual can develop his faculties in full, the presence or absence of economic opportunities will determine, to a large extent, whether or not a person can play a leadership role in society. In the case of political leadership, the economic factor is more significant. Money plays a dominant role not only in raising one to high positions in politics but also in maintaining him in power hierarchy.⁷ The family of origin, educational experience and

economic status of any individual to a large extent determined the leadership quality of the legislators in the fifth, seventh and eighth *Jatiya Sangsad* of Bangladesh.

Socio-economic Background of the Members in the Fifth *Jatiya Sangsad*

Through the fifth *Jatiya Sangsad* election, 300 legislators were directly elected by the popular votes. The fifth JS also had 30 reserved seats for women who were indirectly elected by the directly elected 300 members of the JS. In the following sections, an attempt would be made to discuss regarding the socio-economic background e.g. educational background, organizational affiliations and foreign education of the 330 members in the fifth *Jatiya Sangsad*.

Table 8.1

Educational Background of the Members in the Fifth *Jatiya Sangsad*

Level of education	Male (N=296)	Female (N=34)	All Members (N=330)
Non-High School	5 (1.7%)	0	5 (1.7%)
S.S.C	5 (1.7%)	2(5.88%)	7 (2.1%)
H.S.C	0	0	0
Bachelor's degree	122 (41.22%)	8(23.5%)	130(39.39%)
Master's degree	141 (47.63%)	10 (29.41)	151(45.8%)
Doctoral (Ph. D.) degree	6 (2.02%)	0	6(1.8%)
Missing data	17 (5.7%)	4 (11.76%)	21 (6.4%)
Total	296 (100%)	34 (100%)	330 (100%)

Source: Md. Nurul Amin Bepari, *The Nature of Bangladesh State and Military Rule*, Unpublished Ph. D. Thesis, University of Dhaka, 2002, p. 163

Table 8.1 presents the difference between the male and female members in the fifth *Jatiya Sangsad* of Bangladesh in terms of their educational background. This table shows that 47.63% (141 of 296) of elected male legislators obtained Master's degree; while of the elected female legislators 29.41% (10 of 34) had

Master's degree. Only 2.02% (6) of the male legislators obtained the doctoral (Ph.D.) degree. Of the female legislators 29.41% (10 of 34) had Master's degree. But none of the female legislators obtained the doctoral (Ph.D.) degree. This table also shows that a very small number of 1.7% (5 of 296) elected male legislators did not have any high school certificate; while all the female legislators obtained minimum high school certificate. Of the 41.22% (122 of 296) male legislators obtained bachelor's degree; so did 8 (23.5%) female legislators.

Table 8.2

Organizational Affiliations of the Members in the Fifth Jatiya Sangsad

Organizational Affiliations	AL N=92	BNP N=170	JP N=35	Religion oriented Parties N=21	Leftist Parties N=8	Other Parties N=2	IND N=2	All MPs N=330
Membership in Parliamentary Committees	66.3% (61)	53.81% (91)	45.7% (16)	90.51% (19)	87.5% (7)	50% (1)	100% (2)	59.9% (197)
Yes	33.7% (31)	46.2% (79)	54.3% 19	9.5% (2)	12.5% (1)	50% (1)	0% (0)	40.1% (133)
No								
Membership in Socio-cultural organization	35.9% (33)	53.3% (90)	31.4% (11)	0% (0)	12.5% (1)	0% (0)	50% (1)	41.3% (136)
Yes	64.1% (59)	46.7% (80)	69.6% (24)	100% (21)	87.5% (7)	100% (2)	50% (1)	59.7% (194)
No								
Membership in Business organization	8.7% (8)	15.4% (26)	2.9% (1)	0% (0)	0% (0)	0% (0)	0% (0)	10.6% (35)
Yes	91.3% (84)	84.6% (144)	97.1% (34)	100% (21)	100% (8)	100% (2)	100% (2)	89.4% (295)
No								
Membership in Social welfare Organization	32.6% (30)	46.7% (79)	22.9% 8	4.87% (1)	25% (2)	0% (0)	0% (0)	36.5% (120)
Yes	67.4% (62)	53.3% (91)	77.1% (27)	93.2% (21)	75% (6)	100% (2)	100% (2)	63.5% (210)
No								

Source: Md. Nurul Amin Bepari, *Ibid*, p. 160.

Table 8.2 shows the organizational affiliations of the legislators in the fifth *Jatiya Sangsad* of Bangladesh. The affiliations of legislators with different organizations such as membership in parliamentary committees, socio-cultural organizations, business organizations and social welfare organizations were varied across their political parties. Table 8.2 shows that 61 (66.3%) of 92 legislators from AL, 91 (53.8%) of 170 legislators from BNP, 16 (45.7%) of 35 legislators from JP, 19 (90.5%) of 21 from religion oriented parties and 7 (87.6%) of 8 legislators from leftist parties were members of the parliamentary committees. Besides, 33 (35.9%) of 92 elected members of the AL, 90 (53.3%) of 170 from BNP, 11(31.4%) of 35 from JP, 1 (12.5%) of 8 elected legislators from leftist parties were the members of the socio-economic organization; while no legislators from religion oriented parties had affiliations with any socio-cultural organizations. On the other hand, only 8 (8.7%) of 92 legislators from AL, 26 (15.4%) of 170 legislators from BNP and 1 (2.9%) of 35 legislators from JP were affiliated with business organization; while no legislators of religion oriented or leftist parties had affiliations with any business organizations. Likewise, 30 (32.6%) of 92 elected members of AL, 79 (46.7%) of 170 from BNP, 8 (22.9%) of 35 elected legislators from JP were the members of the social welfare organizations. Besides, only 1 (4.8%) from 21 elected legislators of religion oriented parties and 2 from 8 elected legislators of the leftist parties had affiliations with social welfare organizations that were indicative of the variation of the level of organizational affiliations of the legislators across the political parties of Bangladesh.

The educational and political background of the legislators significantly impact upon their behavior, role perceptions and legislative or political decisions.⁶ Due to differences in educational and political backgrounds of legislators were perceived not only in terms of party affiliations, religion or ethnicity but also in terms of gender. Table 8.3 shows that out of 330 legislators of the fifth *Jatiya Sangsad* only 42 (12.7%) members obtained foreign education; while no female legislators of the fifth *Jatiya Sangsad* has obtained such education.

Table 8.4

Educational Background of the Members in the Seventh Jatiya Sangsad

Level of education	Male (N=295)	Female (N=35)	All Members (N=330)
Below S.S.C	2 (.68%)	0	2 (.91%)
S.S.C	10 (3.39%)	0	10 (3.03%)
H.S.C	33 (11.19%)	0	33 (10%)
Bachelor degree	124 (42.03%)	13 (34.29%)	137 (41.21%)
Post-graduate degree	115 (38.98%)	18 (51.43%)	133 (40.30%)
Doctoral (Ph.D.)Degree	3 (1.02%)	0	3 (.91%)
Missing data	8 (2.71%)	4 (11.43%)	12 (3.67%)
Total	295 (100%)	35 (100%)	330 (100%)

Source: Compiled by the researcher from *Life Sketch of Honorable Members of the Seventh Jatiya Sangsad (in Bengali)*, Dhaka: Bangladesh Jatiya Sangsad.

Table 8.4 shows the difference between the male and female members in the seventh *Jatiya Sangsad* of Bangladesh in terms of their educational experiences. Table 8.4 presents very small number of elected male legislators 2 (.68%) did not have any high school certificate; while all the female legislators obtained high school certificate. Of the male legislators 10 (3.39%) obtained S.S.C certificate and 33 (11.19%) obtained H.S.C certificate. Table 8.4 also shows that 124 (42.03%) elected male legislators obtained bachelor's degree; while 13 (34.29%) elected female legislators obtained the same degree. Of the elected male legislators 115 (38.98%) obtained post-graduate degree; so did female legislators 18 (51.43%). In terms of post-graduate degree, the percentage of elected female legislators was higher than that of the elected male legislators. Only 3 (2.71%) of the male legislators had doctoral (Ph.D.) degree. But none of the female legislators obtained Ph.D. degree.

Table 8.3

Foreign Education of the Members in the Fifth Jatiya Sangsad

Foreign Education	Male (N=296)	Female (N=34)	All Members (N=330)
USA	5 (1.7%)	0	5(1.5%)
UK	19 (6.4%)	0	19(5.8%)
Europe	1(.3%)	0	1(.3%)
India	10(3.4%)	0	10(3%)
Pakistan	3(1%)	0	3(.9%)
Elsewhere Abroad	4(1.4%)	0	4(1.2%)
No Foreign Education	254(85.8%)	34(100%)	288(87.3%)
Total	296(100%)	34(100%)	330(100%)

Source: Md. Nurul Amin Bepari, *Ibid*, p. 165.

The table 8.3 also shows that 10 members (3% of the total members) obtained foreign education from India and only 3 members (.9% of the total members) obtained their education from Pakistan. However, the highest percentage (5.8% or 19 of 330) of elected legislators received foreign education from UK. Even the percentage of the elected legislators who received foreign education from USA was higher than that of the percentage of the elected legislators who obtained foreign education from Pakistan.

Socio-economic Background of the Members in the Seventh Jatiya Sangsad

Through the seventh *Jatiya Sangsad* election, 300 legislators were directly elected by the universal suffrage. The seventh JS also had 30 reserved seats for women who were indirectly elected by the directly elected 300 legislators of the JS. In the following sections, an attempt would be made to discuss regarding the socio-economic background e.g. educational background and professional affiliations of the 330 members in the seventh *Jatiya Sangsad*.

Table 8.4

Educational Background of the Members in the Seventh Jatiya Sangsad

Level of education	Male (N=295)	Female (N=35)	All Members (N=330)
Below S.S.C	2 (.68%)	0	2 (.91%)
S.S.C	10 (3.39%)	0	10 (3.03%)
H.S.C	33 (11.19%)	0	33 (10%)
Bachelor degree	124 (42.03%)	13 (34.29%)	137 (41.21%)
Post-graduate degree	115 (38.98%)	18 (51.43%)	133 (40.30%)
Doctoral (Ph.D.)Degree	3 (1.02%)	0	3 (.91%)
Missing data	8 (2.71%)	4 (11.43%)	12 (3.67%)
Total	295 (100%)	35 (100%)	330 (100%)

Source: Compiled by the researcher from *Life Sketch of Honorable Members of the Seventh Jatiya Sangsad (in Bengali)*, Dhaka: Bangladesh Jatiya Sangsad.

Table 8.4 shows the difference between the male and female members in the seventh *Jatiya Sangsad* of Bangladesh in terms of their educational experiences. Table 8.4 presents very small number of elected male legislators 2 (.68%) did not have any high school certificate; while all the female legislators obtained high school certificate. Of the male legislators 10 (3.39%) obtained S.S.C certificate and 33 (11.19%) obtained H.S.C certificate. Table 8.4 also shows that 124 (42.03%) elected male legislators obtained bachelor's degree; while 13 (34.29%) elected female legislators obtained the same degree. Of the elected male legislators 115 (38.98%) obtained post-graduate degree; so did female legislators 18 (51.43%). In terms of post-graduate degree, the percentage of elected female legislators was higher than that of the elected male legislators. Only 3 (2.71%) of the male legislators had doctoral (Ph.D.) degree. But none of the female legislators obtained Ph.D. degree.

Table 8.5

Professional Affiliations of the Members in the Seventh Jatiya Sangsad

Profession	Male (N=295)	Female (N=35)	All Members (N=330)
Businessman	127 (43.05%)	10 (28.57%)	147 (44.55%)
Professional Politics	32 (15.54%)	3 (8.57%)	35 (10.61%)
Lawyers	37 (12.54%)	0	37 (11.21%)
Teaching	10 (3.39%)	2 (5.71%)	12 (3.64%)
Former defence personnel	10 (3.39%)	0	10 (3.03%)
Retired government officer	8 (2.71%)	0	8 (2.42%)
Doctors	13 (4.41%)	2 (5.71%)	15 (4.55%)
Agriculturalist	17 (5.76%)	0	22 (6.67%)
Social workers	30 (10.17%)	12 (34.29%)	42 (12.73%)
Others	6 (2.03%)	6 (17.14%)	12 (3.64%)
Total	295 (100%)	35 (100%)	330 (100%)

Source: Compiled by the researcher from *Life Sketch of Honorable Members of the Seventh Jatiya Sangsad (in Bengali)*, Dhaka: Bangladesh Jatiya Sangsad.

Table 8.5 presents the professional affiliations of the elected members of the seventh *Jatiya Sangsad* of Bangladesh. This table shows that 127 (43.05%) elected male legislators were businessman; while elected female legislators 10 (28.57%) were businessman. Of the elected male legislators 32 (15.54%) were involved in the professional politics; while elected female legislators 3 (8.57%) were professional politicians. Besides, elected male MP's 37 (12.54%) were belonged to lawyers; while no female legislators were lawyers. Of the elected male MP's 10 (3.39%) were involved in teaching and 2 (5.71%) elected female MP's were in the same profession. This table also reveals that elected male legislators were 10 (3.39%) and 8 (2.71%) respectively former defence personnel and retired government officers; while none of the female legislators were former defence personnel and retired government officers. Of the elected

male legislators, 13 (4.41%) were doctors; elected female legislators were only 2 (5.71%). Besides, of the elected male MP's 17 (5.76%) were agriculturalist but no female MP's was agriculturalist. On the other hand, of the elected male legislators 30 (10.17%) were social workers; while of the elected female legislators 12 (34.29%) were social worker. The above figures indicate that the business community form the single majority group among the MP's of the seventh parliament. Among the 330 MP's in the seventh *Jatiya Sangsad*, 127 as first timer, do not have any legislative experience; while 85 MP's were elected twice, 75 MP's for the third time, 27 MP's for the fourth time and the rest four MP's for the fifth time.⁹

Socio-economic Background of the Members in the Eight *Jatiya Sangsad*

Through the eighth *Jatiya Sangsad* election, 300 legislators were directly elected by the universal suffrage. The eighth JS also had 45 reserved seats for women who were indirectly elected by the directly elected 300 members of the JS. In what follows, an attempt would be made to discuss regarding the socio-economic background e.g. educational background and professional affiliations of the 345 members in the eighth *Jatiya Sangsad*.

Table 8.6 present the difference between the male and female MP's in the eighth *Jatiya Sangsad* of Bangladesh in terms of their educational background. A small number 7 (2.38%) of elected male MP's did not have minimum high school degree. Besides, 4 (1.36%) of elected male MP's had S.S.C certificate; while 1 (16.67%) of elected female MP obtained S.S.C certificate. The table also shows that 27 (9.18%) of elected male legislators had H.S.C certificate but none of the elected female legislators obtained H.S.C certificate. Of the 136 (46.26%) elected male legislators in the eighth *Jatiya Sangsad* had bachelor's degree; while 4 (66.67%) elected female legislators had bachelor's degree. Besides, of elected male legislators 113 (38.44%) achieved post-graduate degree but none of the female legislators had the same degree. Of the elected

male legislators 7 (2.38%) obtained doctoral (Ph.D.) degree and among the elected female legislators 1 (16.67%) received doctoral (Ph.D.) degree.

Table 8.6

Educational Background of the Members in the Eighth Jatiya Sangsad

Level of education	Male (N=294)	Female (N=6)	All Members (N=300)
Below S.S.C	7 (2.38%)	0	7(2.38%)
S.S.C	4 (1.36%)	1 (16.67%)	5 (1.67%)
H.S.C	27 (9.18%)	0	27 (9%)
Bachelor degree	136 (46.26%)	4 (66.67%)	140 (46.67%)
Post-graduate degree	113 (38.44%)	0	113 (37.67%)
Doctoral (Ph.D.)Degree	7 (2.38%)	1 (16.67%)	8 (2.66%)
Total	294 (100%)	6 (100%)	300 (100%)

Source: Compiled by the researcher from *Life Sketch of Honorable Members of the Eighth Jatiya Sangsad (in Bengali)*, Dhaka: Bangladesh Jatiya Sangsad, April 2005.

In the eighth *Jatiya Sangsad*, out of 300 directly elected legislators, 178 MP's were belonged to an age group of 50 years or above, 55 MP's were 60 years and above, only 9 MP's were 70 years and above and the rest were below 40 years.¹⁰ Among the 300 MP's, 78 were elected as first time and did not have any legislative experience; while 78 MP's were elected twice, 59 MP's for the third time, 62 MP's for the fourth time, 18 MP's for the fifth time and the rest five MP's for the sixth time.¹¹ Considering the above socio-economic background of the MP's of the eighth *Jatiya Sangsad*, it can be said that they belonged to the rich class. Apart from educational experience, the legislators of the eighth *Jatiya Sangsad* were affiliated with various professional organization e. g. businessmen, politicians, lawyers, teaching, former defence personnel, retired government officers, doctors, agriculturist and social workers.

Table 8.7

Professional Affiliations of the Members in the Eighth Jatiya Sangsad

Profession	Male (N=294)	Female (N=6)	All Members (N=300)
Businessman	125 (42.52%)	1 (16.67%)	126 (42%)
Politics	45 (15.31%)	2 (33.33%)	47 (15.67%)
Lawyers	32 (10.88%)	0	32 (10.67%)
Teaching	24 (8.16%)	0	24 (8%)
Former defence personnel	12 (4.08%)	0	12 (4%)
Retired government officer	10 (3.40%)	0	10 (3.33%)
Doctors	11 (3.74%)	0	11 (3.67%)
Agriculturalist	8 (2.72%)	0	8 (2.67%)
Social workers	27 (9.18%)	3 (50%)	30 (10%)
Total	294 (100%)	6 (100%)	300 (100%)

Source: Compiled by the researcher from *Life Sketch of Honorable Members of the Eighth Jatiya Sangsad (in Bengali)*, Dhaka: Bangladesh Jatiya Sangsad, April 2005.

Table 8.7 reveals the professional affiliations of the elected members in the eighth *Jatiya Sangsad* of Bangladesh. This table shows that 125 (42.52%) elected male legislators were businessman; while elected female legislators 1 (16.67%) were businessman. Of the elected male MP's 45 (15.31%) were professional politicians; so were the elected female MP's 2 (33.33%). Besides, elected male MP's 32 (10.88%) were lawyers; while no female legislators were lawyers. Of the elected male MP's 24 (8.16%) were involved in teaching and 2 (5.71%) elected female MP's were in teaching profession. This table also reveals that elected male legislators were 12 (4.08%) and 10 (3.40%) respectively former defence personnel and retired government officers; while none of the female legislators were belonged to former defense personnel and retired government officers. Of the elected male legislators, 11 (3.74%) were doctors but none of the elected female legislators was doctor. Besides, of the

elected male MP's 8 (2.72%) were agriculturalist but no female MP's was agriculturalist. On the other hand, of the elected male legislators 27 (9.18%) were social workers; while of the elected female legislators 3 (50%) were social worker. The above figures indicate that the business community form the single majority group among the MP's of the eighth parliament.

From the above discussion of the socio-economic background of the members in the fifth, seventh and eighth *Jatiya Sangsad* of Bangladesh we can say that the pattern of recruitment of the legislators from different political parties have significant differences. These differences among the legislators from the political parties are perceived not only in terms of gender but also in terms of regional origin or birth place, family, education, occupation, economic condition or even in terms of their organizational or professional affiliations. With the changes of socio-economic and political conditions of many developed and developing countries, many changes have been taken place about the role of perceptions and political behaviors of legislators in the twenty first century. In this respect, the above discussions regarding socio-economic background of the legislators in the *Jatiya Sangsad* of Bangladesh are expected to generate new knowledge about their role, as well as recruitment patterns and socialization process. The business community represented the highest number of legislators in the fifth, seventh and eighth *Jatiya Sangsad* of Bangladesh. Besides, the involvement of retired army and civil bureaucrats in the major political parties are increasing day by day. On the other hand, the professional politicians at various ranks are losing ground in the recruitment pattern and socialization process of *Jatiya Sangsad* of Bangladesh. Socio-economic status of legislators is expected to grow culture of cooperation and principle of tolerance which are essential to the successful working of parliamentary democracy.

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Chapter 9: Conclusion

Conclusion

In this concluding chapter, I would like to repeat the research questions that I set out in the introductory chapter of the thesis. These questions are: What role does the opposition play in the democratic politics of Bangladesh? To what extent has the opposition been successful in playing its effective role in the democratic politics of Bangladesh? The answer of the first question has been given through a theoretical framework. Using this framework, two questions: what role does the opposition play and how do they do so have been answered? In the literature, we find simple binary aspects of the role of opposition: proactive and reactive. This categorization is apt to sum up the role of opposition in democratic politics of Bangladesh. Although the rise of opposition in parliamentary democracy of Bangladesh since 1991 has been phenomenal, its role has largely remained reactive in responding to the policy and programmes of the government. Throughout the chapters in this thesis, I have explained the role of *Jatiya Sangsad* in Bangladesh which falls short of the quality to provide the opposition enough space for criticism. Rules of Procedure of the *Jatiya Sangsad* have privileged the ruling party over the opposition in terms of the scope for deliberative participation in the parliament. On the contrary, both the ruling and the opposition parties have hardly reached consensus on issues of national importance through dialogue. However, on few occasions both parties have gone above partisan interests reflecting their ability to work together.

As stated before, the opposition plays its role through formal and informal mechanisms in Bangladesh *Jatiya Sangsad*. In the theoretical framework, I have presented the formal mechanics for opposition's role in the parliament prescribed in the Rules of Procedures of the *Jatiya Sangsad*. These mechanics are mentioned in the chapter two, such as question and short notice question, Prime Minister's Question Time, half an hour discussion, motion for adjournment, discussion on matters of urgent public importance for short duration, debates in the House, calling attention to the matters of urgent public

importance, general discussion of the budget, motion of no-confidence, motion of special privileges, committee system and effective use of walkouts. These options provide the opposition opportunities for raising their voice against the government's wrong policies, and also give them an option for exit from the *Jatiya Sangsad*-if their voice goes unheeded by the ruling party. However, structurally the opposition gets less time to talk in the parliament. Through the mechanisms, the opposition has been tried to make the government responsible to the people. But in the developed democracies, while the opposition can play its 'proactive' role through formal devices, in the underdeveloped democracy like Bangladesh such a role is heavily constrained by contextual factors arising from the lack of democratic culture prevailing in these countries (see chapter three). In other words, the quality of the opposition's role is dependent upon the quality of democratization in these countries. Particularly in Bangladesh, the absence of the culture of cooperation between the two main parties has led to the decline of opposition's performance. Performances of the opposition during the successive parliamentary governments have amply demonstrated this matter. Thus the absence of the culture of cooperation can be seen as intentional factors involving actors for democratization in Bangladesh. Unintended factors stem from structural bottlenecks.

After one and half decade, parliamentary democracy was restored through the Twelfth Amendment to the Constitution in the fifth *Jatiya Sangsad*. As a result, the fifth *Jatiya Sangsad* revived much optimism about the institutionalization of parliamentary democracy. Evidence showed that MPs in the fifth JS used all formal procedures to hold the government accountable to the parliament. However, the formal mechanism for example, the Parliamentary Standing Committees were not free from flaws in its exercise of power. Alongside the weakness in the formal procedure, the main weakness of the fifth JS was in the absence of trust between the ruling and the opposition parties. Mistrust bred intolerance of the ruling party towards the opposition, prompting the opposition to resort to boycotting from the parliament. The gap was further widened when

the opposition accused the ruling party for its manipulation in the by-elections. It appears from the analysis of the chapter four, the MPs became acquainted with the formal rules of the game of parliamentary culture, but they needed time to internalize this culture.

Being privileged as the party in power the ruling party skillfully employed their positions to bypass the opposition. On many occasions in the fifth, seventh and eighth *Jatiya Sangsad*, the opposition resorted to walkout in protest of the ruling party's domineering attitude towards the opposition, manifested in not giving them enough time in the parliament. Tolerating the opposition's critique has not yet been internalized in the culture of ruling party. More often than not the opposition has opposed to embarrass the ruling party. Therefore, structurally *Jatiya Sangsad* remains an unequal field for jockeying of power. It remains far from a level playing field.

Beyond formal mechanisms, the opposition's role is qualitatively linked with political culture. Oppositional political culture in Bangladesh has inherited from the colonial past. After independence, military interventions in politics one after another have hampered the legislators to acquaint with the constructive role of the opposition. No effective opposition could evolve during 1975-1991.

The rise of opposition in democratic politics of Bangladesh shot up to prominence with the fifth *Jatiya Sangsad* in 1991. With the revival of constitutional government, this was the first time in Bangladesh the largest opposition emerged in the parliament (See chapter four). In this parliament, the opposition initiated a unique move in the political history of Bangladesh. They placed a bill to introduce parliamentary system of government. This initiative had been successful to establish a bi-partisan consensus, though other smaller parties supported the bill. As a result, Twelfth Amendment to the Constitution took place. It showed a promising start of the parliamentary politics in

Bangladesh. Why did this promising start begin to decline during the last part of the BNP government (1991-1995)? Politics of mistrust created visible cracks on the terrain of political culture. Over the issues of holding of free, fair and impartial election, the opposition boycotted and finally resigned from the *Jatiya Sangsad*. The demand for Non-party Caretaker Government revealed the deep mistrust of the opposition over the ruling party. During this crisis, the failure to resolve the crisis through dialogue brought to the surface the lack of compromise between the main parties. The culture of compromise is one of the significant values for the successful working of parliamentary democracy. However, the crisis was resolved by an unilateral step of the BNP which had been taken in the sixth *Jatiya Sangsad* in 1996.

Scramble for state power over the issue of holding a free and fair election under Non-party Caretaker Government between the two main parties has largely tainted the parliamentary democracy in Bangladesh for the period 1995-96. In this struggle for power, all parliamentary norms have been demolished one after another. In the wake up to the political crisis stemming from opposition's demand for holding free and fair elections under Non-party Caretaker Government, the sixth *Jatiya Sangsad* elections held resulting in legitimacy crisis of the government as the opposition abstained from participating in this election. As a result, the sixth *Jatiya Sangsad* elections minus the opposition inflicted a serious blow to the institutionalization of parliamentary democracy. It is arguable whether Non-party Caretaker Government through the Thirteenth Amendment to the Constitution was a real development towards democratization. But parliamentary democracy tumbled during the period 1995-96 due to politics of intransigence between the two main parties: Bangladesh Nationalist Party (BNP) and Bangladesh Awami League (AL).

In the seventh *Jatiya Sangsad*, the introduction of Prime Minister's Question Time and the provision for non-Minister MPs as the chairman of parliamentary standing committees are no mean development. But these new developments

could make very little progress in improving opposition's role in the parliament. Among the 328 working days in its 23 sessions of the seventh JS, 54 working days was allotted for the opposition legislators. During the seventh JS, the main opposition BNP duly participated in the various legislative devices inside the *Jatiya Sangsad* e.g. 51 notices of calling attention to the matters of urgent public importance, 4 notices of adjournment motions, 13 notices of matters of urgent public importance for short duration, 33 notices of special privileges motions etc. The main opposition also participated in the 48 parliamentary standing committees. The opposition BNP accused that they were not allowed to discuss important issues in the JS and they boycotted the House for 163 working days (42.67percent). They also criticized the government for its various failures such as deterioration of law and order, price-hike, transit issue and water sharing treaty with India. One might find enough justifications to support opposition's extended role outside the parliament. There are some issues such as granting transit to India, CHT Treaty and the Ganges Water sharing Treaty have not been adequately discussed in the parliament. In the name of sensitivity of the issues or state secrecy, the discussion on these issues seem to have stayed out of the parliament

The eighth *Jatiya Sangsad* commenced its functions amidst boycott by the main opposition AL. Since joining in the House, the main opposition duly participated in the various legislative devices inside the parliament e. g. 109 notices of calling attention to the matters of urgent public importance, 4 notices regarding matters of urgent public importance for short duration, 8 notices of special privileges motions etc. The opposition also participated in the 48 parliamentary standing committees. However, parliamentary standing committees were faced severe pressure from the government high-ups and failed to investigate irregularities of the different ministries. The main opposition boycotted the JS session on the various issues e. g. repeal of Father of the Nation's Family Member Security Act, 2001; repeal of Preservation and Display of the Portrait of Father of the Nation; passing the Law, Order

Disruptive Crime Speedy Trial Bill, accusation of grenade attack on the AL rally on 21 August 2004, killing of AL lawmakers i.e. former Finance Minister Shah AMS Kibria and Ahsanullah Master. The main opposition outside the JS adopted various techniques such as organized procession, *hartals*, mass hunger strike, formed human chain and non-cooperation movement against the government. The mainstream opposition also criticized the government for its various failures to tackle the deterioration of law and order, price hike of essentials, *monga* in the northern regions of the country, grenade attack on AL's rally, political killing and persecution of opposition leaders, workers and minority communities.

The main opposition in the eighth JS proposed reform proposal to the government regarding the amendment to the Non-party Caretaker Government and the Bangladesh Election Commission. Six round secretary-level dialogues between BNP-led alliance and AL-led opposition alliance ended without any positive outcome within the duration of the eighth *Jatiya Sangsad*. 'Winner takes all' has been a common feature of democratization in Bangladesh. On the contrary, sometimes the opposition opposed the government policies and activities for only myopic political reasons.

The fifth, seventh and eighth JS elections paved the way for the rise of strong opposition in the parliament and the re-introduction of parliamentary democracy by the Twelfth Amendment to the Constitution ushered a new hope in the democratic journey of the country. Although voter turnout increased in the fifth (55.45 percent), seventh (74.15 percent) and eighth (75.59 percent) *Jatiya Sangsad* elections consecutively but the proper functioning of the JS hampered due to lack of legislative compromises between the ruling and the opposition parties. During the fifth JS, the opposition legislators walked out from the House 60 times and boycotted the parliamentary sessions for 135 working days which were 33.75 percent of the total (400) working days. During the seventh JS, the opposition legislators walked out from the House 62

times and boycotted the parliamentary sessions for 163 working days which were 42.67 percent of the total (382) working days. During the eighth JS, the opposition legislators walked out from the House 95 times and boycotted the parliamentary sessions for 223 working days which were 59.79 percent of the total (373) working days. Due to the increasing rate of opposition's walkouts and prolonged boycotts from the parliamentary sessions, the JS became the *ruling party (one party) dominating parliament*.

Therefore, democratization has not been successful to gain desired impetus. The opposition deviated from its appropriate role in the parliamentary democracy because both the ruling and opposition parties emphasised narrow partisan instead of national interest. However, the opposition's raising voice outside the JS though sometimes effective to correct the government policies and activities; it largely made the status of the opposition merely as a *pressure group*. I would argue here that the opposition's role outside the parliament may create pressure on the government to change its policies barely it contributes to the decision-making through the parliament

After the end of duration of the eighth JS on 27 October 2006, violence sparked between the activists of AL-led alliance and BNP-led alliance. In the backdrop of the former Chief Justice K. M. Hasan's reluctance to accept the post of Chief Adviser of Non-party Caretaker Government, as a final option of the constitution, President Iajuddin Ahmed himself took oath as Chief Adviser of Non-party Caretaker Government in addition to his own responsibilities and appointed an advisory council. AL accused Iajuddin of being a puppet of BNP and on 03 January 2007 finally declared that they would boycott the elections under Non-party Caretaker Government headed by Iajuddin Ahmed. Consequently violence activities broke out across the country. President of the republic proclaimed state of emergency on 11 January 2007 and suspended the fundamental rights of the citizens. The day after the declaration of emergency, army-backed Non-party Caretaker Government was formed headed by

Fakhruddin Ahmed. The prior reasons of this army-backed Non-party Caretaker Government was the lack of consensus and partisan interest among the main political parties concerning the national issues of the country. Therefore, hopes and aspirations of the nation stumbled and democratization process has remained stalled.

The rise of the strong opposition in Bangladesh politics has been a positive development towards institutionalization of democracy. It has been further buttressed by a functioning parliament. With the beginning of parliamentary democracy since 1991, the opposition had to start struggling for a level playing field within the parliament. Structurally deprived-as mentioned before-the opposition has always walked a tightrope to find its proper place in the functioning of parliamentary democracy. The opposition has always encountered the ruling party with suspicion who as winner in election took all. Sometimes the opposition has not been able to use its 'power to correct' the government due to lack of its positive attitude towards the interests of the nation. Hence, the role of opposition has not made any significant dent on the democratization in the country. The opposition's voice has also gone unheeded when the ruling party showed intolerance to its critique. As a result, the opposition sometimes boycotted and resigned from the parliament. Thus parliament and its rules, and parties themselves are equally responsible for dysfunctional parliament, though the ruling party has more responsibilities in making the parliament functional. The success of the role of opposition would depend upon how it curves out its own political culture given the prevalence of parochial political culture in the democratic politics of Bangladesh.

Appendices

Appendix 1

Questionnaire

Dear Sir/Madam,

This questionnaire is prepared only for Ph. D. research and every part of it would be secret. This research aims to examine the role of opposition parties with a view to improving the effectiveness of parliamentary democracy in Bangladesh. In this regard, I would be grateful if you could spare a few minutes to assist me by responding to the following questions:

[Please tick the appropriate box or write the correct answer.]

Part – I

1. Name :
2. Date of birth :
3. Age :
4. Educational Qualifications :
5. Profession :
6. Religion : Islam; Hindu; Buddhism; Christian
7. Gender / Sex : Male; Female
8. Income : Monthly.....; Yearly.....

Part – II

9. How much you are satisfied with the role of Prime Minister in the question-answer session?
 Highly Satisfied; Satisfied; Not Satisfied; No Comments
10. Are you satisfied with the role of Speaker to preside over the parliamentary sessions?
 Highly Satisfied; Satisfied Not Satisfied; No Comments
11. Do you think the appropriate role of opposition in the *Jatiya Sangsad* primarily depends on the willingness of the ruling party?

12. Does the Rules of Procedure generate any constraints to perform the appropriate role of opposition inside the *Jatiya Sangsad*?
13. What are the fundamental constraints of making the *Jatiya Sangsad* effective and lively?
14. What are your recommendations to make the *Jatiya Sangsad* more effective and lively?
15. What type of role the opposition can perform inside and outside the *Jatiya Sangsad* to make consensus regarding the issues of national importance in the country?
16. Do you think Awami League as the main opposition has performed appropriate role in the fifth *Jatiya Sangsad*?
17. Do you think the BNP as the main opposition has performed appropriate role in the seventh *Jatiya Sangsad*?
18. Do you think the Awami League as the main opposition has performed appropriate role in the eighth *Jatiya Sangsad*?
19. Do you think walkout & boycott is effective instrument of ensuring the accountability of government?
20. Do you think Article 70 of the Constitution of the People's Republic of Bangladesh (A person elected as a member of Parliament at an election at which he was nominated as a candidate by a political party shall vacate his seat if he resigns from that party or votes in Parliament against that party) needs to amend for the effective functions of Parliamentary democracy?
21. If you have any other important observation regarding the effective working of the *Jatiya Sangsad* of Bangladesh, please write down on the sheet enclosed herewith.

-Researcher

Appendix 2

An Outline of Fifth, Seventh and Eighth Jatiya Sangsad (Parliament) in Bangladesh

Subject	Fifth Jatiya Sangsad	Seventh Jatiya Sangsad	Eighth Jatiya Sangsad
Date of Election	29-02- 1991	12-06-1996	01-10-2001
Political Parties	75	81	54
Contesting Candidates	2787	2574	1039
Total Voters	62181743	56716935	74946364
Casted (per cent)	55.45%	74.15%	75.59%
Women Seats	30	30	45
Results	BNP: 140 AL: 88 JP: 35 JI: 18 Others: 19	AL: 146 BNP: 116 JP: 32 Others: 06	BNP: 193 AL: 62 JI: 17 JP: 14 Others: 14
Oath Taken	17-19, 27-03-1991	21,23,24-06-1996	04,09-10-2001
Leader of the House	Begum Khaleda Zia	Sheikh Hasina	Begum Khaleda Zia
First Session	05-04-1991	14-07-1996	28-10-2001
Total Session	22	23	23
Total Working Days	400	382	373
Laws Enacted	172	191	185
Last Working Day	18-11-1995	13-07-2001	04-10-2006
Boycotted by Opposition	135 days	163 days	223 days
Dissolution	24-11-1995	13-07-2001	27-10-2006
Duration	4 years 8 months	5 years	5 years
Speaker of the House	Abdur Rahman Biswas & Razzaque Ali	Humayun Rasheed Chy & Advocate Abdul Hamid	Barrister Jamiruddin Sirkar

Source: Compiled by the researcher from Parliament Secretariat, Dhaka, 2008.

Appendix 3

Joint Declaration of the Three Alliances, November 1990

People from all classes and professions are waging a heroic struggle. The goals are: emancipation from the misrule of the autocratic Ershad regime; ouster regime; establishment of a stable democratic process and way of life; and re-establishment of the consciousness and values of the war of Liberation.

People have suffered jails, torture and repression and have even sacrificed their lives at various stages of the struggle. This they have done with the goal of establishing a genuine representative system of government.

One of the main aims and purpose of the struggle, which the people have been waging at the cost of their blood, is to end the malpractice of changing government through unconstitutional means like killings, coups etc., and to ensure, instead, change of government through the unconstitutional means of free and fair election.

Hence the central theme of our struggle is to establish a sovereign parliament through a free and fair election.

But the Ershad regime, which usurped power through unconstitutional means, has been tirelessly endeavoring to perpetuate itself in power through all sorts of chicaneries, tricks and use of force and farcical elections.

Every election held under this regime followed a regular pattern--vote-stealing, false voting, forcible occupation of polling centres, hijacking of ballot boxes, vote-dacoity, media coup, and finally, announcement of the results of the voter less elections. Under these circumstances, no free and fair election can be held under this regime.

We, the 15-party alliance, the 7-party alliance, shall not take part in any election held under Ershad and the illegitimate Ershad government- be the

election presidential or parliamentary. We shall not boycott such elections but also resist these elections.

We, the 15-party alliance, the 7-party alliance and the 5-party alliance, shall participate only in an election to a sovereign parliament and only when such an election is held under a non-partisan, neutral government.

Keeping this in view and reflecting the hopes and aspirations of the people as well, we are jointly issuing the following unequivocal declaration regarding the main demands and aims of the current movement.

1. With a view to freeing the country from the clutches of autocratic Ershad and his regime which has been foisted on the nation through murders, coups and conspiracies, and establishing genuine democracy and democratic system of government in line with the consciousness and values of independence and War of liberation:

(A) Ershad and his government will be forced to resign and a Vice-President, who will be acceptable to the three alliances which are engaged in the anti-autocracy and anti-communal movement, will be appointed while continuing the constitutional process and under the relevant provisions of the Constitution, i.e., Article 51(A) Clause 3 and Article 55(A) Clause 1. The president will dissolve the present government and parliament and will himself resign and hand over power to that Vice-President.

(B) An interim, caretaker government will be formed under that Vice-president; the prime responsibility of that government will be to ensure holding of a free and fair election to a sovereign parliament within three months.

2. (A) The head of the caretaker government will be non-partisan and neutral, i.e., he will not be a follower or be associated, directly or indirectly, with any political party, and will not participate in presidential, vice-presidential or parliamentary elections. No minister of his caretaker government will likewise participate in elections.

(B) The caretaker government will only run the routine administration and will reconstitute the Election commission as well as reorganize the work and responsibilities of the Election Commission with a view to holding free and fair elections.

(C) The confidence of the voters has to be re-established that they will be able to exercise their right to vote freely and without any pressure in accordance with their own choice and conscience; and this has to be ensured.

(D) The mass media, including the radio and television, will have to be made into independent and autonomous bodies so that they become completely neutral; and it has to be ensured that all parties participating in the elections will get unhindered scope for publicity.

3. The interim, caretaker government will hand over power to the sovereign parliament, elected through free and fair elections, and the government will remain accountable to that parliament.

4. (A) In recognition of the sovereignty of the people, the process of constitutional rule in the country will be made safe and undisturbed, and all attempt at usurping power through unconstitutional means will be resisted. An elected government must not be unseated without election through any unconstitutional or extra-constitutional means or on any other plea.

(B) The fundamental rights of the people, the independence and impartiality of the judiciary and the rule of law will be insured.

(C) All laws that conflict with fundamental rights will be rescinded.

Appendix 4

***List of Adjournment Motions (Rule-62) Tabled by the
Opposition Members of Parliaments in the Fifth Jatiya
Sangsad***

Sl. No.	Name	Party	
01	Salauddin Qader Choudhury	National Democratic Party	3
02	A. M. Riasat Ali	Jamat-i-Islami	1
03	Rashed Khan Menon	Workers Party	1
04	M. Shamsul Haque	Awami League	2
05	Syed Nazibul Bashar	Awami League	1
06	Latifur Rahman	Jamat-i- Islami	1
07	Ruhul Quddus	Jamat-i- Islami	2
08	Aminul Islam	Awami League	2
09	Md. Abdus Shahid	Awami League	2
10	Abul kalam Azad	Awami League	1
11	Abdur Razzak	Awami League	2
12	Shahjahan Siraj	Jatiya Samajtantrik Dal	1
13	Abdus Samad Azad	Awami League	1
14	Rahmat Ali	Awami League	2
15	Motia Choudhury	Awami League	1
16	Syeda sajeda Choudhury	Awami League	1
17	Rafiqul Islam	Awami League	2
18	Mizanur Rahman Manu	Awami League	1
19	Tofael Ahmed	Awami League	1
20	Tabibur Rahman Sarder	Awami League	1
21	Shahjahan khan	Awami League	1
22	Joynal Abedin Hazari	Awami League	1
23	Shahjahan Chowdhury	Jamat-i- Islami	1
24	Hafeza Asma Khatun	Jamat-i- Islami	1
25	Kazi Abdur rashid	Awami League	1
26	Khan Tipu Sultan	Awami League	1
27	Manirul Huq Chowdhury	Jatiya Party	1
28	Mosharrof Hossain	Awami League	1
	Total		38

[Source: Hasanuzzaman, Al Masud, *Role of Opposition In Bangladesh Politics*, Dhaka: UPL, 1998, p. 154]

Appendix 5

List of Special Privileges Motions (Rule-164) Tabled by the Opposition MP's in the Seventh Jatiya Sangsad

Sl. No.	Name	Party	Notices
1	Salauddin Qader Chowdhury	BNP	2
2	Kh. Delwar Hossain	BNP	1
3	Barrister Aminul Huq	BNP	1
4	Md. Khalequzzaman	BNP	1
5	Abdul Hye	BNP	1
6	Alamgir Md. Mahfuzullah	BNP	1
7	Salauddin Ahmed	BNP	1
8	Akhter Hamid Siddiqui	BNP	1
9	Ziaul Huq Zia	BNP	1
10	Ahtashanul Huq Nasim Biswas	BNP	1
11	Ziaur Rahman Khan	BNP	1
12	Prof. Rezaul Karim	BNP	1
13	Prof. Shahjahan Miah	BNP	1
14	AIM Khalilur Rahman	BNP	1
15	Sadek Hossain Khoka	BNP	1
16	Prof. Shahidul Islam	BNP	1
17	Md. Nazimuddin Alam	BNP	
18	Mashiur Rahman	BNP	3
19	Md. Abdul Hye	BNP	2
20	Lutfor Rahman Chowdhury	Jatiya Party	2
21	M. Shamsul Islam	BNP	1
	Total		26

Source: Compiled by the researcher from the Parliament Secretariat, Dhaka, 2008.

List of Persons Interviewed

Abdul Mannan Bhuiyan

Former Secretary-General of Bangladesh Nationalist Party (BNP); former Minister, Ministry of LGRD and MP; Interviewed on 10 August 2009 in Dhaka.

A.K. M. Rahmatullah

Three times elected MP of JS (Constituency: Dhaka-10); Interviewed on 17 August 2009 in Dhaka.

Professor AQM Badruddoza Chowdhury

Former President of the People's Republic of Bangladesh; Founding Secretary-General of BNP; Deputy leader of the House and foreign minister in the fifth JS; Deputy leader of the opposition in the seventh JS. Founding Chairman of Bikalpa Dhara Bangladesh; Interviewed on 16 October 2009 in Dhaka.

Begum Khaleda Zia

Chairperson, Bangladesh Nationalist Party (BNP); former Prime Minister in the fifth and eighth JS; Opposition leader of the House in the seventh and ninth JS. Interviewed on 28 August 2009 in Dhaka.

Hafiz Uddin Ahmed

Three times elected MP of Jatiya Party (Constituency: Thakurgaon-3);
Interviewed on 06 October 2009 in Dhaka.

Md. Abdul Hamid Advocate

Deputy Speaker of the Seventh JS; Speaker of the House in the ninth JS;
Seven times elected MP of JS (Constituency: Kishoreganj-4);
Interviewed on 31 August 2009 in Dhaka.

Md. Dabirul Islam

Five times elected MP of JS (Constituency: Thakurgaon-2); Interviewed
on 07 October 2009 in Dhaka.

Md. Ishaque Hossain Talukder

Two times elected MP of JS (Constituency: Sirajganj-3); Interviewed on
08 December 2009 in Sirajgang.

Kazi Keramot Ali

Three times elected MP of JS (Constituency: Rajbari-1); Interviewed on
10 October 2009 in Dhaka.

Md. Zillul Hakim

Two times elected MP of JS (Constituency: Rajbari-2); Interviewed on
12 October 2009 in Dhaka.

M. K. Anwar

Former Minister, Ministry of Agriculture; Five times elected MP of JS
(Constituency: Comilla-2); Interviewed on 12 November 2009 in Dhaka.

Rashed Khan Menon

President, Workers Party of Bangladesh; former student leader and Vice-President, Dhaka University Central Student union (DUCSU) 1963-64; Three times elected MP of the JS; Interviewed on 19 November 2009 in Dhaka.

Shamsur Rahman Sharif

Three times elected MP of the JS (Constituency: Sunamganj-2); Interviewed on 08 October 2009 in Dhaka.

Suranzit Sengupta

Former parliamentary affairs adviser to the Prime Minister Sheikh Hasina (1996-2001); Seven times elected MP in JS (Constituency: Sunamganj-2); Interviewed on 12 January 2010.

Tofail Ahmed

Former student leader and Vice-President, Dhaka University Central Student Union (DUCSU); Convener, Students Committee of Action (1968-1969); Former minister, Ministry of Industries; Five times elected MP of JS (Constituency: Bhola-2); Interviewed on 15 November 2009.

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The Bulletin of the Eighth Parliament (in Bengali), Parliament Secretariat, Dhaka.

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