CHAPTER FIVE

THE STATE IN BANGLADESH UNDER ERSHAD: 1982-90

The Background of Ershad's Takeover

After the assassination of Ziaur Rahman, Vice President Abdus Sattar took over as acting President. Sattar promised to continue the politico-economic reforms which his predecessor had undertaken. He, however, lacked Zia's charisma and found it difficult to contain the factional in-fights within the ruling party that had surfaced immediately after the death of Zia. The BNP was divided along various lines - officials vs. politicians, socialists vs. non-socialists, Islamists vs. secularists, and freedom fighters vs. non-freedom fighters. These divisions led to bitter internal factionalism. The BNP government also began to lose popularity because of the involvement of its leaders in corruption and looting of national wealth.

In the economic front, Sattar strived to maintain the speed of activities initiated by Zia and to get aid from the Western and Arab nations. Bangladesh's economic situation sharply deteriorated in 1981. The country's foreign currency reserves fell from $337.3 million in March to just $89.3 million in October. The International Monetary Fund (IMF) asked the Sattar government to impose "corrective" measures which included restrictions on bank credit, curbing current and unproductive spending, reducing import expenditures, and increasing export earnings. It also advised the government to withdraw subsidies on rice and fertilizers, transfer authority for the distribution of agricultural inputs to the private sector, increase the prices of petroleum, gas, electricity, and water services, and devalue Taka (TK), the Bangladeshi currency, by 30%. But the Sattar government could not implement these politically unpopular measures as it was facing upcoming presidential elections in November.

Sattar won the November 15, 1981 polls by a landslide and became the first elected civilian President of the country. However, he failed to establish civilian supremacy over the armed forces – the most dominant group in the Bangladesh polity. Lt. General H.M. Ershad, the then Army Chief, put tremendous pressure on Sattar to provide a constitutionally guaranteed active role to the military in the national decision-making process. Even before the elections, Ershad made it clear that the military must be given an effective say in the running of the government and the country's future destiny. He argued that this kind of power sharing arrangement would stabilise the government.

The March 24, 1982 Coup

President Sattar, on the other hand, asserted that the armed forces' only constitutional role was the defence of the country against outside enemies. This caused a rift between the civilian and military leadership of the country and Ershad seized state power in a bloodless coup on March 24, 1982. The higher echelons of the military under the leadership of Ershad had engineered the coup first by manipulating the election of Sattar and then garnering support from the rank and file of armed forces for his removal. According to one report, the blueprint for a takeover was prepared well in advance and the key roles were played by two of Ershad's most trusted officers - Major General Nooruddin, Chief of General Staff and Major General Mohabbat Jan Choudhury, Director General of Defence Forces Intelligence (DFI).³

Ershad proclaimed martial law throughout the country, suspended the constitution, dissolved the parliament and dismissed the Sattar Cabinet. He blamed Sattar for the country's sorry state of affairs. Ershad claimed that the imposition of martial law had become necessary because of the prevailing political, economic and law and order situation. In a broadcast, he said: "The nation's security, independence and sovereignty today face a serious threat owing to social and political indiscipline, unprecedented corruption, a bankrupt economy, administrative breakdown, extreme degradation of law

and order and a grave economic and food crisis. The government has failed totally because of the petty selfishness, unworthiness, nepotism, unbounded corruption and conflicts among those in power. 4

The Structure of the Martial Law Administration

Following his takeover, Ershad thoroughly overhauled the politico-administrative structures of the country. He declared himself the Chief Martial Law Administrator (CMLA) and appointed Chief of Naval Staff, Rear Admiral Mahbub Ali Khan and Chief of Air Staff, Vice Marshal Sultan Mahmud as Deputy Chief Martial Law Administrators (DCMLAs). The country was divided into 5 martial law zones and 20 sub-zones. These zones and sub-zones were administered by the Zonal Martial Law Administrators (ZMLAs) and Sub-Zonal Martial Law Administrators (SZMLAs) respectively. Major Generals Abdur Rahman, A.M. Golam Muktadir, Abdul Mannaf, M. Abdus Samad and Brigadier K.M. Abdul Wahed were appointed ZMLAs. 5

A martial law proclamation announced that Ershad had assumed full command and control of all the armed forces of Bangladesh and become the chief executive of the government in his capacity as the CMLA. He also assumed all legislative and judicial authority of the state and proclaimed his right to appoint, dismiss or cancel the nomination of the president, the titular head of state. 6 A former Supreme Court Judge, A.F.M. Ahsanuddin Choudhury was named as the new President of the Republic on March 26.

The CMLA appointed a 12-member Council of Advisers consisting of 4 serving and 3 retired military officers and 4 bureaucrats and one technocrat. The following military officers were included in the Council of Advisers: Rear Admiral M.A. Khan; Air Vice Marshal S. Mahmud; Major General M. Shamsul Huq; Major General Abdul Mannan Siddique; Air Vice Marshal A.G. Mahmud, former Air Force Chief; Air Vice

4 The full text of Ershad's speech is given in Appendix F, pp. 253-62.
Marshal A.M.Islam, former Director General of DFI; and A.R.S.Doha, a retired army major and former High Commissioner to U.K. Among the civilian members of the council, K.A.Bakr was already Attorney General; S.M.Shafiul Azam was ex-Cabinet Secretary; A.M.A.Muhith was ex-Finance Secretary; A.Z.M.Obaidullah Khan was ex-Agriculture Secretary; and Mahbubur Rahman was a senior civil servant. Ershad distributed all portfolios among the members of the Council of Advisers except home, defence and foreign affairs, which he kept with himself. Major General (retd.) M.I. Karim was appointed a special adviser to the CMLA.7

In mid-1982, Ershad redesignated his Council of Advisers as Council of Ministers and made additional ministerial appointments. More civilians were inducted into the Council of Ministers. They included Dr. Shafia Khatun, Dr. A.Majid Khan and Syed Najimuddin Hashim. The military officers, however, retained the vital portfolios. A.R.S. Doha and Major General Mohhabbat Jan Choudhury were appointed ministers of Foreign and Home Affairs, respectively.8

Under the system introduced by Ershad, the CMLA, DCMLAs, ZMLAs, SZMLAs and District Martial Law Administrators (DCMLAs) occupied key positions in the power structure and enjoyed enormous power and influence over civil administration. Besides, they were also entrusted with developmental tasks in their demarcated areas. The civilian members of the Council of Ministers were not having power base which led them vulnerable to martial law administrators.

**Imposition of Restrictions on Civil and Democratic Rights**

In its bid to secure control over the polity, the martial law administration undertook several authoritarian measures. All political activities, "direct or indirect", and demonstrations were banned on March 24, 1982. Press censorship was imposed and

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criticism of the martial law regime was forbidden, infringements of the regulation being punishable by imprisonment for up to 7 years. A clarification issued on April 4 stated that the term 'political activities' covered organisation, campaigning for and providing financial assistance to any political party, organising a political demonstration and propagation of any political opinion by a group of persons operating for the purpose. To end the involvement of students in politics, all students' unions were dissolved on April 4, and the National Youth Organisation and the National Women's Youth Organisation on April 9 were banned. 9

The Martial Law Order No.1 issued on March 25, empowered the CMLA to set up a special military tribunal, special military courts and summary military courts, which might try any offence punishable under the martial law regulations and orders or any other law. The special courts' judgement must be approved by the CMLA, and those of the summary courts by the ZMLAs. No court, including the Supreme Court, might question any order, verdict, sentence or a trial procedure of a military court. Possession of firearms and ammunition without a valid license was made punishable by death or life imprisonment. 10

Ershad's Reform Measures

Soon after the assumption of power, Ershad asserted that his martial law regime would bring about structural changes in the country's administrative system and the socio-economic order. The government announced a series of measures which included eradication of corruption, decentralisation of the administrative structure, disinvestment of industries and land, educational and judicial reforms. Ershad also claimed that his government would introduce a new form of democracy ensuring direct participation of all. He said, "We will establish a unique form of democracy which no martial law administration anywhere in the world has been able to do". He assured that this task would be accomplished in about 2 years. 11

9 See Keesing's Contemporary Archives, n. 7, pp. 31501-502.
10 Ibid, p. 31501.
Anti-Corruption Drive

The Ershad regime launched a vigorous campaign against corruption. It was announced that the President, Vice President or any other minister, member of parliament or of a local authority or trade union or government employee, if convicted of acquiring property by corrupt means, might be sentenced to death, life imprisonment or imprisonment up to 14 years, a fine and confiscation of all or part of his property.  

At least 300 people including 6 ministers of Zia's and Sattar's cabinet, top bureaucrats, industrialists and politicians were reported to have been arrested on charges of corruption, misuse of power and anti-state activities. Among the former ministers arrested were: Deputy Prime Minister, S.A.Bari; Minister for Jute, Habibullah Khan; Finance Minister, Saifur Rahman; Minister of Public Works and Urban Development and Mayor of Dhaka, Abul Hasnat; State Minister for Commerce, Tanvir Ahmed Siddiky; and State Minister for Manpower, Atauddin Khan. All of them were brought to trial before the special martial law tribunal and sentenced to various terms of imprisonment ranging from 2 to 14 years, including fines.

The government decided to bring 'black money' into the open. Martial Law Regulation No.5 issued in May 1982, permitted businessmen to invest black money in productive ventures after payment of 15% tax: with those not confirming to be taxed at 30%.

Administrative Restructuring

The institutions like Gram Sarkar and Jubo Complex formed by President Zia, were dissolved. On April 28, 1982, Ershad appointed a committee of army officers and academics to study administrative reform and reorganisation. The committee submitted a report to him in June. The recommendations of the report were based on the proposed

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12 See Keesing's Contemporary Archives, n. 7.
13 See Far Eastern Economic Review, n. 7; and n. 8.
simplification of the existing 6-tier structure to a 4-tier system consisting of the central
government level, the districts, a number of thanas (police stations) within each district
and the local units known as the Unions. Local government executives would be
accountable to elected councils at each level, and greater responsibility would be
devolved to them from central government, particularly in such matters as agricultural
and development policy, small-scale industrial development and education up to
secondary level.  

The idea, according to Ershad, was to decentralise the administration and bring the
government closer to the people, create job opportunities at the local level so that they do
not have to migrate to the already overcrowded cities in search of jobs.  

Bangladesh at that time was divided into 19 administrative districts, each of which
had an average population of more than 5 million people. Ershad held that these units
were too large to serve the population well either in administrative or development
matters. He, therefore, upgraded the sub divisions into which the former districts were
divided to the level of district. There were now 64 districts with an average population of
less than 2 million.  

Creation of Upazilas

The next lower level, the thanas were upgraded and converted into upazilas (sub
districts). The whole country was divided into 493 upazilas, each with an average
population of 2,00,000. The chairman of the upazilas, elected for 3 years, would preside
over a parishad (council) composed of elected members from lower units - Unions - and
civil servants representing various ministries in the capital.  

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15 See n. 8.
17 Craig Baxter, “The Struggle for Development in Bangladesh”, Current History, vol. LXXXVIII, no. 542,
The upazilas were given considerable administrative, judicial and economic powers. The elected chairman and his council would determine the local developmental priorities, and control the use of funds. The upazila executive officer, bureaucrat, acting as the secretary to the council, played the role of an intermediary between the people's representatives and the government.

A political analyst has argued that the upazilas were not only intended to act as basic units of administration and as growth centres, but also to serve as a cornerstone of Ershad's efforts to build a support base for his government and to undercut the overwhelmingly urban political parties. Following the example of the late President Zia, who had travelled extensively throughout the Bangladesh countryside, Ershad frequently took helicopter rides to supervise the work of upazilas in order to mobilise support for himself.

The upazila system, however, failed to ensure mass participation in the developmental activities. It rather increased the influence of the rural elite over the state. Reports indicate that a majority of the upazila chairmen belonged to the upper income group. Moreover, on most occasions, the new administrative units acted as "bureaucratic instruments of the centre". Another objective of the administrative decentralisation was to marginalise the major opposition parties at the local level.

Judicial Reforms

The Ershad government also reorganised the prevailing judicial system of the country. The High Court division of the Supreme Court was split up into 4 permanent

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19 The Upazila Parishad received funds from two sources: central government grants and locally raised revenues through taxes on market income, fishing income and some types of business activity. For details see Craig Baxter's "Continuing Problems in Bangladesh", Current History, vol. LXXXV, no. 509, March 1986, p. 123.
21 See n. 18, p. 21.
benches at the division headquarters and 400 lower courts were established at thanas to
deal with minor routine litigation\textsuperscript{23}. The objective, the government reasoned out, was
fastening the delivery of justice and removal of miseries and hardships of the ordinary
citizen.

However, the judiciary was not allowed to function independently during the
military rule. The president had the discretionary power to appoint or dismiss judges and
the verdicts of summary military courts were safeguarded by indemnity law.

**Economic Development Strategy of Ershad**

An economic policy including administrative austerity, increased national self-
reliance and reduced dependence on foreign aid, and encouragement of private enterprise,
had been outlined by Ershad in his first broadcast when the armed forces seized power on
March 24. The government adopted several austerity measures to cut down on
unproductive expenditure. The import of luxury goods and a number of other materials
was curtailed and celebrations involving more than 100 guests were banned. The number
of ministries was reduced from 42 to 17, and directorates from 256 to 180. The
government also enacted a series of new laws to rationalise tax structure and streamlined
credit supplies by nationalised banks.\textsuperscript{24}

The Ershad government tried to follow a capitalist development model. In June
1982, the government announced a new industrial policy offering incentives and
opportunities for private investment. About 10 industries previously reserved for the state
sector, were thrown open to private investment. The new policy brought down the
reserve lists for public sector investments to just 6.

Ershad's economic policies were aimed at satisfying the international financial
institutions on whose loans his regime relied heavily. Bangladesh's dependence on


foreign aid had been increasing steadily since 1971. It was estimated that in 1980, 85% of the country’s development budget, 60% of its investments and 63% of its commodity imports depended on foreign aid.\textsuperscript{25} Being an aid-recipient country, Bangladesh had to abide by the terms and conditions set by aid donors while formulating its development strategy.

**Socio-Economic Reforms**

In order to resolve the country’s lingering socio-economic problems, the Ershad regime introduced several corrective measures. The international money lending agencies were deeply concerned by growing landlessness and rural poverty. In 1982, the landless peasants constituted 50% of the rural population. The Bangladesh government was asked to break-up the existing land holdings and distribute excess land to landless peasants through legislation. In September 1984, the government proclaimed a new land reform ordinance in which the maximum ceiling of agricultural land holding was brought down form 33 acres to 20 acres. The ordinance also limited transfer within families to circumvent the land ceiling rules, gave greater protection to sharecroppers and fixed lower limits on the share of crops given to the landowner on sharecropped land.\textsuperscript{26}

The rapid growth of population was another serious problem faced by the government. It took up a 2 year emergency programme to reduce the population growth rate to 1.5% from the then rate of 2.6%. The government also paid attention to the development of education by adopting a single education curriculum by all the education boards, introduction of an improved system of examination and publication of results in time and simultaneously by all boards, stress on the removal of mass illiteracy, and the strengthening of scientific, technical and job-oriented education.\textsuperscript{27}

\textsuperscript{25} See Jafar, n. 14, pp. 10-11.
\textsuperscript{26} See Baxter, n. 19, pp. 123-24; and n. 18, pp. 23-24.
\textsuperscript{27} See Bhuiyan, n. 24, p. 147.
Opposition to Government Policies

The Ershad regime, however, failed to implement several of these reform measures. It faced stiff opposition from a large number of political parties, students and lawyers. The students - politically the most conscious section of the Bangladeshi society, were the first to raise their voice against the martial law regime. They protested in late 1982 and early 1983 against government proposals to introduce Arabic as a compulsory language in primary schools. This was seen as an attempt to Islamise the country's secular education system. 28

The students of Dhaka University also took a stand against the government's new education policy. This policy proposed that higher education should be confined only to the talented students. They perceived that this education policy would give rise to a tiny ruling class. The students defied the martial law order by holding demonstrations. A number of violent student-police clashes took place in the campus of the Dhaka University on February 14 and 15, 1983, in which several students were killed and injured. Various student organisations, despite their differing ideological orientations, were united against the police atrocities. The student movement soon turned into a movement for the reestablishment of democratic rights.

The political parties supported the students' cause and launched a mass movement against the military regime. A 22-party alliance called the Movement for the Restoration of Democracy (MRD) was formed in September on the basis of a 5-point programme agreed between the Awami League (Hasina), which headed a 15-party alliance and the BNP (Khaleda Zia) which led a 7-party alliance. The five demands were: (i) an immediate withdrawal of martial law and return of the army to the barracks; (ii) restoration of fundamental rights, including the lifting of the ban on political activities; (iii) release of all political prisoners and the withdrawal of charges against politicians; (iv) parliamentary elections to be held prior to presidential polls; and (v) trial of persons responsible for the student killings. 29

28 Keesing's Contemporary Archives, June 1984, p. 32918.
29 See Bhuiyan, n. 24, pp. 152-53; and n. 28, p. 32919.
To press for the realisation of its 5 demands, the MRD held a rally on September 30, 1983. The MRD threatened the government that unless those demands were met immediately, it would launch its programme of subsequent movement against the regime.30

The lawyers also took part in demonstrations in mid-October 1982 to protest against government measures to decentralise the judiciary which the government claimed would make justice swifter and cheaper. But according to the lawyers the move was an attempt to disperse them all over the country and this reduce their political influence. The lawyers boycotted the sessions of the Supreme Court for some time. They demanded judicial freedom and an end to military rule.31

**Government’s Response to Opposition**

In the face of growing agitation, the government was forced to concede some of the opposition demands. There were visible changes in military decision making after violent mid-February 1983 confrontation. Ershad reshuffled his cabinet and brought about significant changes in the army command positions. Two important generals who were generally known as hardliners and were seen as principally responsible for the police brutality on the Dhaka University Campus, were removed from their sensitive positions.32

The government suspended the implementation of the new education policy. On March 3, the Education and Religious Affairs portfolios were separated. Ershad proposed a 'national dialogue' between the armed forces and political groups to discuss constitutional issues, student problems and political activities. On March 25, the martial law ban on indoor political meetings was lifted and press censorship was eased. Ershad also reiterated that his regime was committed to the restoration of democracy after the

30 Ibid.
31 See n. 28, pp. 32918 and 32920.
32 See Rahman, n. 20, p. 241; and n. 18.
introduction of basic administrative changes in order to ensure "viable grass roots democracy". He announced on November 14, 1983, that following local elections in December, presidential and parliamentary elections would take place in May and November 1984 respectively.\textsuperscript{33}

These concessions, however, did not satisfy the opposition parties who were demanding the withdrawal of martial law and the holding of parliamentary elections before the presidential poll. The opposition leaders asserted that the elections were a device to perpetuate the power of the military government and claimed that Ershad's position and his reforms of local government would ensure his success in local and presidential elections thus rendering an opposition victory in the parliamentary elections, increasingly difficult.\textsuperscript{34}

A series of anti-government demonstrations took place in late 1983 in protest against election schedule and administrative reforms. On November 28, a sit-in strike organised by the opposition parties in front of Martial Law Secretariat led to violent clashes with the police in which 4 people were killed and 500 injured.\textsuperscript{35}

Following these disturbances, Ershad took a number of steps to suppress dissent. The ban on open political activities was reimposed and several opposition leaders, including Sheikh Hasina and Khaleda Zia, were arrested. In order to strengthen his position, Ershad assumed the office of President in December 1983.\textsuperscript{36}

\textbf{Formation of the \textit{Jana Dal}}

Ershad also intensified his efforts to gain popular support and legitimacy. On November 27, a new political party called the \textit{Jana Dal} (People's Party) was formed. It was a pro-government party which advocated Bangladeshi nationalism, Islamic ideals and

\textsuperscript{33} See n. 28, pp. 32918-19.
\textsuperscript{34} See Rahman, n. 20, p. 242; and n. 28, p. 32919.
\textsuperscript{35} See n. 28, p. 32919.
\textsuperscript{36} Ibid.
values, democracy and progress. The party further stressed that it would ensure the participation of all professional groups, including the armed forces, in nation building activities.\textsuperscript{37}

The Awami League (Mizan) and a faction of the BNP under the leadership of Shamsul Huda Choudhury constituted the nucleus of the new party. It established its student wing — the \textit{Natun Bangla Chhatra Samaj} and the youth front — \textit{the Natun Bangla Juba Sanghati}.\textsuperscript{38} A forum for the workers called \textit{Natun Bangla Sramik Federation} was also set up. The \textit{Jana Dal} provided Ershad with a strong organisation and platform to contest the forthcoming elections.

**Holding of Local Elections**

In December 1983, elections were held for the 4,400 posts of chairman and 39,000 posts of members of the \textit{Union Parishads}, the village-level committees forming the lowest tier of rural administration. A majority of \textit{Jana Dal} candidates emerged victorious in these elections.\textsuperscript{39}

Two months later in February 1984, elections were held for the municipalities. The polls were marked by violent clashes. Both the Awami League and the BNP claimed that most of the successful candidates belonged to their parties. The Election Commission, however, did not declare the actual results.

**The March 1985 Referendum**

Ershad tried to obtain the approval of the people for his continuation in power by organising a referendum in the same way as Ayub and Zia had done in the past. In the national referendum held on March, 21, 1985, the Bangladeshi voters were asked to answer the following questions. "Do you support the policies and programme of President Ershad and do you want him to continue to run this administration until a

\textsuperscript{37} See Bhuiyan, n. 24, p. 150.  
\textsuperscript{38} See n. 28, pp. 32919-20.  
civilian government is formed through elections?" The government claimed a voter turnout of 71.5% of which Ershad received 94.15% affirmative votes. Several local and foreign observers found these figures highly exaggerated and maintained that the actual turnout was not more than 15 to 20%. The opposition who boycotted the referendum denounced the result as 'fraudulent'. The supporters of the Ershad regime, however, viewed the referendum as an important milestone in its search for legitimacy.40

Upazila Parishad Elections

Following the referendum, elections to the chairmanships of the 406 Upazila Parishads were held on May 16 and 20, 1985. The elections were contested on a non-party basis and they were boycotted by the two opposition alliances. The Ershad regime claimed that 85% of the seats had been won by the Jana Dal supporters.41

Split in the Opposition

The holding of referendum and the success of the pro-government Jana Dal in the local elections gave the Ershad regime some semblance of legitimacy and increased its scope of manoeuvrability. To weaken the opposition and consolidate his own political base, Ershad adopted the strategy of coopting the opposition leaders and encouraging splits within existing parties. He offered various incentives such as ministerial and other key posts to opposition politicians and by August 1985, many of them were persuaded to join his government. For example, Ershad brought Shah Azizur Rahman — a prominent BNP leader and Korban Ali — a senior Awami Leaguer, into his cabinet. Moreover, Serajul Hossain Khan with his Ganotantrik Party and Kazi Jafar Ahmed with United People’s Party (UPP) broke away from the 7-party alliance led by Kaleda Zia and joined Ershad.42 All these splits and defections seriously undermined the cohesion and strength of the opposition.

41 See Keesing’s Contemporary Archives, n. 40.
Party Building by Ershad

Ershad took this opportunity to widen his political base further. On August 16, a pro-government political platform of 5 parties named the Jatiyo Front (National Front) was launched. The Front included the UPP, the Ganotantrik Party, the Jana Dal, the Muslim League (Siddiky) and the Shah Aziz faction of the BNP. It supported peaceful transition from military rule to constitutional democracy and the revival of the suspended constitution after elections.43

On January 1, 1986, Ershad withdrew the ban on political activity and transformed the Jatiyo Front into a political party, the Jatiyo (National) Party. He announced that the party stood for post-1975 politics, independence and sovereignty, the establishment of Islamic ideals and values, a multi-party democratic system and social progress through economic emancipation.44

The 1986 Parliamentary Elections

The Jatiyo Party provided Ershad with a civilian support base and strengthened his bargaining position vis-a-vis the opposition parties. The following March, he announced that parliamentary elections would be held on April 26. He also offered a number of concessions to induce the opposition parties to participate in the forthcoming election. They included: (i) the abolition of all positions and offices of ZMLAs; (ii) the abolition of martial law courts; and (iii) the resignation of any member of the Council of Ministers standing as a candidate for election45.

The two opposition alliances rejected the idea of participating in the parliamentary elections unless their 5-point demands were met. But the 15-party alliance led by the Awami League and the religion-based party Jamaat-i-Islami suddenly decided to contest the election when the date was shifted to May 7. The 7-party alliance led by the BNP
remained adamant on its earlier decision of boycotting the elections. Khaleda Zia reiterated that BNP participation was conditional on (i) restoration of fundamental rights; (ii) the release of all political prisoners; and (iii) the cancellation of all convictions of politicians by the military courts. The BNP severely criticised the Awami League for betraying the movement and pointed out that elections held without the prior lifting of the martial law would only serve to perpetuate an "illegal military government". 46

The voting process was completed despite allegations of massive rigging and violence. Like all the previous parliamentary elections, the ruling party won a majority of seats. The Election Commission declared that the Jatiyo Party secured 153 seats out of 300 while the Awami League obtained only 76. Sheikh Hasina immediately rejected the election result, accusing the government of 'vote piracy'. There were reports of widespread electoral malpractices including the physical intimidation of returning officers, the early closure of polling booths and the mass falsification of votes. The foreign observers maintained that the principal offenders on the polling day had been the supporters of the Jatiyo Party. 47

The Presidential Election

Ershad's subsequent attempt in the process of legitimising his regime was the holding of presidential election on October 15, 1986. Prior to the election, he resigned his post as Chief of Army Staff and formally joined the Jatiyo Party. The party nominated him as its presidential candidate. 48

In the face of boycott and strike called by the opposition parties including the Awami League and in the absence of any formidable candidate, Ershad won a landslide victory, securing 83.6% of 54.2% voter turnout. However, it should be noted that the election was far from free and fair. Opposition leader Sheikh Hasina claimed that only 3% of the population had in fact voted and described the election as a 'monumental fraud'.

46 Ibid., p. 34481.
47 Ibid., pp. 34481-82.
A foreign news agency reported several instances of voting irregularities, including the use of pre-marked ballots, forging of voting registries and multiple voting by individuals. Ershad denied accusations of large-scale electoral malpractices but admitted that minor instances might have occurred.49

**Ratification of Martial Law**

After taking over as elected President on October 23, 1986, for a 5 year term, Ershad summoned the new parliament to pass an amendment to the constitution to legalise military rule. The Constitution (Seventh Amendment) Bill ratifying all Proclamation Orders, CMLA's Orders, Martial Law Regulations, Martial Law Orders and Martial Law Instructions issued by the government since the introduction of martial law and the suspension of constitution in March 1982, was passed on November 10. Ershad in his capacity as CMLA then lifted martial law and restored the 1972 Constitution50.

The seventh amendment legitimised Ershad's acquisition of power through unconstitutional means and indemnified his government from legal action against decisions taken during the martial law period. The practice of indemnifying illegal assumption of state power was introduced by Zia through the fifth amendment, and it was followed by Ershad in the seventh amendment.

Most of the opposition parties strongly condemned Ershad regime's effort to legitimise itself through the seventh amendment of the constitution. The leader of the opposition in parliament, Sheikh Hasina described the passage of the bill as "fraud perpetrated through the parliament without the approval of the people". The Awami League boycotted the sessions in which the bill was passed. The BNP-led alliance also demonstrated its opposition to the bill by calling a half-day strike on the day the constitution was amended51.

49 Ibid, p. 34813.
Militarisation of the State During the Ershad Period

The opposition forces further argued that the formal withdrawal of martial law did not in any way reduce military's dominance over the state apparatus. They pointed out that the military personnel continued to occupy key positions in the administration, foreign service, state corporations and other government and autonomous bodies. Studies indicate that a large number of military officers were placed in different branches of the administration. For instance, 97 senior positions in the bureaucracy under the Establishment Division of the Government and 28 high-ranking posts in the Secretariat, were held by army officers. Similarly, while recruitment for government positions was restricted, about 1500 former army personnel were reappointed\(^{52}\).

Ershad introduced various quota systems for the military personnel in civilian posts. In an interview, he once said that the military quota in foreign service was about 25\(^{\%}\)\(^{53}\). But in reality, military representation in foreign service was much higher. During his period, nearly one-third of the 48 heads of Bangladesh missions abroad were drawn from the armed forces\(^{54}\). Moreover, 15 military personnel occupied different types of diplomatic posts such as Minister, Councillor etc.\(^{55}\).

Reports suggest that a majority of police superintendent's posts and a large number of positions in the state-run corporations were handed over to retired officers. In 1987, 53 posts of Superintendent of Police (SP) out of a total of 64, went to army personnel. Furthermore, they occupied at least 20 DIG posts\(^{56}\). Serving or retired


\(^{53}\) See n. 18, p. 27.

\(^{54}\) See Maniruzzaman, n. 52.


members of the armed forces ran 14 of the 22 large and lucrative public corporations. Six more were headed by civilians with special connections with Ershad and other senior army officers\textsuperscript{57}.

The military also actively participated in the national decision making process during Ershad's rule. Additional responsibilities were given to the senior military officers to head reform and reorganisation bodies or inquiry commissions. Their recommendations led to the establishment of new political institutions at different levels, administrative reorganisation, public service retrenchment and denationalisation of state enterprises\textsuperscript{58}.

Ershad's cabinet had always been dominated by the military personnel. About 40\% of his successive councils of Ministers were drawn from the defence services. More significantly, senior military officers acted as a 'super cabinet' for Ershad who used to discuss all important policy measures with them before these measures were formally placed before the Council of Ministers. This practice continued in spite of the withdrawal of martial law\textsuperscript{59}. Ershad's own one time Prime Minister and Vice President, Moudud Ahmed has revealed that during the cabinet meetings at least 3 senior army officers would be regularly present. They included: Principal Staff Officer to the Supreme Commander of the Armed Forces, i.e. the President; Director General, National Security Intelligence (NSI); and Director General, DFI\textsuperscript{60}.

The military intelligence agencies played a significant role in the Ershad administration. Ershad gave more attention to the military intelligence chief than to his cabinet. In some occasions, the Director General of DFI was accorded top priority in deciding crucial political issues. Moreover, the intelligence agencies played a decisive role in appointment of advisers and ministers and other government officials.

\textsuperscript{57} See Maniruzzaman, n. 52.
\textsuperscript{59} See Maniruzzaman, n. 52.
Ershad nurtured the idea of giving the armed forces a well-defined and permanent role in the polity. He considered transplanting administrative models from Indonesia and Turkey. In both the countries, military's role in the political system has been constitutionally recognised. Ershad reportedly sent two senior army officers to Indonesia to study the Indonesian Constitution which grants the army a definite and statutory role. The higher echelons of the Bangladesh military also examined the Turkish Constitution under which the Chief of Staff becomes the President of the country automatically. But according to them, both these models were not suitable for adapting totally to local conditions.

Legislation of the Zila Parishad Bill and its Fallout

Ershad once tried unsuccessfully to secure a role for the military in the governance of the country through an Act of Parliament. On July 12, 1987, the Local Government (Zila Parishad) Amendment Bill, 1987, was introduced in the parliament providing for representation of the armed forces in the Zila Parishad (District Council). The Zila Parishad was entrusted with considerable administrative and developmental authority. The bill sought to restructure the existing Zila Parishad by adding one officer from the armed services to its membership along with the elected and nominated members and public officials. This aimed at guaranting a place for the military in the administrative and developmental activities in the district.

Ershad's attempt to legalise the participation of the military in the local administration was widely condemned. Sheikh Hasina called for resisting the militarisation of politics. Khaleda Zia also criticised the passage of the bill. She said that the inclusion of the armed forces in the district councils would hinder the prospect of

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restoring democracy in Bangladesh. The opposition parties held countrywide rallies and demonstrations against the *Zila Parishad* bill and called for an end to the autocratic rule of the Ershad regime.

**Introduction of New Economic Measures and the Public Reaction**

The political parties were soon joined by students, workers, peasants and various professional groups. The regime had already alienated these socio-economic forces by introducing a number of harsh economic measures. The budget for the fiscal year 1987-88 proposed withdrawal of all subsidies from agricultural products, doubling of tuition fees in public educational institutions, raising of railway fares and the land tax, and introduction of fees for outdoor patients at the *Upazila* level hospitals and taxes on certain foodstuffs, garments and gas.

The government also tried to implement some 'corrective measures' prescribed by the IMF, the World Bank (WB) and donors. In early 1987, the government proclaimed the Amendment Ordinance (1987) of the 1972 Nationalisation Ordinance which was designed to denationalise nationalised financial institutions such as banks, credit organisations and industries by selling off 49% of their shares to the private sectors. Moreover, it decided to transfer the functions of distribution and sale of agricultural products from the Bangladesh Agricultural Development Corporation (BADC) to private sectors.

All these steps antagonised the politically conscious sections of the Bangladeshi society. The budget sparked immediate protests, strikes and processions by the trade unionists and student organisations. The Awami League staged a noisy walkout when it was placed before the parliament. The opposition termed the 1987-88 budget as 'anti-people'.

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64 Ibid, pp. 180-81.
66 See Kabir, n. 2, p. 556.
The privatisation schemes angered bank employees, BADC employees, and workers, concurrently, efforts of the government to transfer distribution authority of Khas (government land) lands to NGOs and to withdraw subsidies for agricultural products forced 17 major peasant and land-labourer organisations to form their own coalition. Imposition of new taxes and hike in tuition fees affected the lower and lower-middle classes and the students. The implementation of the tuition fee hike was resisted by 22 student organisations jointly. In addition to that, the two factions of the Sramik Karmochari Oikhya Parishad (SKOP) were reunited to oppose the privatisation schemes 68.

Demand for Ershad's Resignation

Ershad faced unrelenting pressure from the opposition parties throughout 1987. The major issue which turned the entire civil society against the regime of Ershad was its attempt to militarise the administration through the legislation of Zila Parishad Bill. The three opposition alliances — 8-party, 7-party, and 5-party - and the Jamaat-i-Islami, jointly organised a series of successful strikes demanding the resignation of Ershad. Some of the charges levelled against the Ershad regime were: assumption of power through unconstitutional means, institutionalisation of corruption at all levels of government and administration, and systematic destruction of the electoral process 69.

On November 10, all the opposition parties attempted to lay the capital Dhaka under 'seize' in order to force Ershad to resign. Continuous strikes, demonstrations, rallies and processions almost paralysed the administrative machinery and adversely affected the country's economy. In his bid to defuse the crisis, Ershad withheld his assent from the bill and proclaimed a state of emergency throughout the country on November 27. A curfew was imposed on the major cities and political activity of any kind was banned. Several opposition leaders including Sheikh Hasina and Khaleda Zia were arrested. On December 6, Ershad dissolved the parliament and called for new elections 70.

68 Sec Kabir, n.2, p. 556.
69 Sec Huque and Hakim, n. 51.
70 Sec Islam, n. 67, pp. 165-67.
The 1988 Parliamentary Elections

Shortly after parliament was dissolved, both Sheikh Hasina and Khaleda Zia were released. Ershad urged the opposition parties to participate in the mid-term elections, scheduled to be held on March 3, 1988, and the government allowed indoor politics and media coverage for the opposition. All the major opposition parties immediately rejected these offers, saying free and fair elections were impossible under the present regime. They insisted that President Ershad resign and that election take place under a "neutral caretaker government". Ershad, on the other hand, was determined to fulfill his constitutional responsibility to hold elections within 90 days of the dissolution of the last parliament. He asserted that "the credibility of an election does not depend on political parties, but on the participation of people and its acceptability to the people".

As the majority of the opposition parties did not participate in the elections, the number of candidates and political parties contesting the fourth parliamentary elections was very low. There were 764 candidates for 300 seats and only 8 insignificant political parties who took part. The ruling Jatiyo Party won an overwhelming victory. It obtained 251 seats with 68.44% of the popular votes. Although the Election Commission claimed a 52.48% voter turnout, the opposition parties maintained that only 1% voters had participated in the election. They questioned the credibility of the exercise and accused the ruling party of various irregularities and malpractices.

Islamisation Under Ershad

When the electoral process could not establish his legitimacy, Ershad resorted to non-electoral means to broaden his support base and enacted eighth constitutional amendment on June 7, 1988. The amendment inserted a new Article (2A) in the

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Constitution which said, "The state religion of the Republic is Islam, but other religions may be practised in peace and harmony in the Republic".  

The Ershad regime emphasised that the amendment would help consolidate national unity and resist the growth of fundamentalism. The opposition parties, however, interpreted this as an attempt to divert the attention of the nation from the mass movement against the regime. Ershad was accused of using Islam as a tool to cling to power. The opposition leaders argued that in a country like Bangladesh where 90% of the people were Muslims, the move was unnecessary. Khaleda Zia said that the "illegal" parliament had no right to amend the constitution or pass any law. Sheikh Hasina described the amendment as a "heinous move to destroy the spirit of the liberation war and reunite Bangladesh with Pakistan" and vowed to scrap the amendment whenever her party would get an opportunity to do so.  

The amendment failed to win favour even with the Islamic fundamentalist party Jamaat-i-Islami. The party held that the constitutional change was a shrewd and calculated step by the government to "subvert" the "genuine" pro-Islamic parties' movement to establish a social system based on Sharia and exploit the sentiment of the country's overwhelming Muslim population.  

Ershad refuted all these allegations, saying that the recognition of Islam as the state religion would "enable us to live as a nation with distinct identity". He argued that secularism was unacceptable to the people of Bangladesh because they knew that "otherwise their very existence would be at stake". According to him, Islam was the country's only way for emancipation. He tried to Islamise the society by introducing a compulsory Islamic education, establishing "Zakat Fund" and declaring Friday as holiday.

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74 See The Constitution of the People's Republic of Bangladesh, as modified up to 30th June, 1988 (Dhaka: n.d.), p. 5.
76 See Far Eastern Economic Review, n. 75.
77 Ibid, p. 15.
Ershad also sought to project himself as a devout Muslim. He used to attend Friday congregations quite frequently and included Islamic personalities in his circle of advisers.

A Divided Opposition

Since the role of religion is a very sensitive issue in Bangladesh where most of the people are Muslims, the opposition parties had been unable to mobilise public opinion against Ershad's Islamisation efforts. Besides, seemingly unending feud among the leaders of the opposition and growing factionalism within the parties also stood in the way of forming a united front against the Ershad regime. On July 16, 1988, a split took place in the BNP, with the expulsion of 6 leading members including the Secretary General, Obaidur Rahman. The party leadership accused the dissidents of collaboration with the pro-government Jatiyo Party.

During 1988-89, the fragmented opposition could not provide any challenge to Ershad. The factor which seriously undermined the opposition unity was the hostility and deep suspicion between the two largest political parties - the Awami League and the BNP. Mutual recrimination between the two parties continued throughout this period. In April 1988, Sheikh Hasina accused the BNP of developing covert links with a section of the armed forces who were perceived to be opposed to the Awami League's return to power. Khaleda Zia alleged that Sheikh Hasina had struck a secret deal with Ershad. He would continue as President with diminished authority and hand over power to the Awami League government in return. The wide belief was that Hasina regarded Ershad as a lesser evil than the BNP. Ershad was totally unacceptable to Khaleda. She suspected Ershad of playing a dubious role in her husband's assassination and was not prepared to accept any understanding with Ershad short of forcing his resignation.

80 Keesing's Record of World Events, March 1989, p. 36558.
There were also ideological and policy differences between the two opposition parties. The Awami League stood for secularism, advocated a parliamentary any system of government, and was left-of-centre, whereas, the BNP upheld Islam as an ideology of the state, favoured a presidential system, was right-of-centre\textsuperscript{82}.

The antagonistic relationship between the two parties had a personal dimension too. President of the Awami League, Sheikh Hasina often accused General Zia, husband of Khaleda Zia, of being involved in the assassination of her father, former Prime Minister Sheikh Mujibur Rahman. In reply, Khaleda Zia, Chairperson of the BNP, accused Hasina of involvement in the killings of her husband\textsuperscript{83}.

**Ershad's Style of Governance**

Ershad had been able to prolong his stay at power by keeping the major opposition alliances divided and playing off one group against the other. He particularly capitalised on the mutual distrust and animosity between the Awami League and the BNP. According to Moudud Ahmed, Ershad's strategy was to ignore and actively undermine both Khaleda Zia and the BNP, while giving a tacit recognition to Sheikh Hasina and her Awami League as the principal political force. Ershad met Sheikh Hasina secretly and assured her that Sheikh Mujib would be restored officially as the founding Father of the Nation and that trial of his killers would be arranged\textsuperscript{84}.

Ershad wanted to keep the two contending women politicians apart and this strategy paid rich dividends. In 1986, he split the opposition by persuading the Awami League to participate in the parliamentary elections. The 15-party alliance became divided into two camps on the question of participation in the election. The left parties protested against Awami League’s decision. They withdrew from the alliance and formed a separate 5-party alliance led by Rashed Khan Menon, leader of the Workers Party.

\textsuperscript{82} "Bangladesh: Opposition Unity, But for How Long?", *Economic and Political Weekly*, vol. XXII, no. 48, November 28, 1987, p. 316.

\textsuperscript{83} See *Keesing's Record of World Events*, n. 81, p. 37204-205.

\textsuperscript{84} See M. Ahmed, n. 60, p. 316.
Another important aspect of Ershad's governing style had been his excessive reliance on the two intelligence organisations - the DFI and the NSI. These organisations were seriously involved in controlling political opposition to Ershad and evolving alternative strategies designed to consolidate his regime. A senior Bangladesh Army Officer argues that the intelligence organisations were very "active in politics" because "they have the mandate to protect national security and this task incorporates almost everything". 

Despite all these, the legitimacy crisis of the regime remained unresolved and confrontation between the security forces and the opposition activists continued unabated. Ershad was perceived by many Bangladeshis as an usurper of power from the democratically elected Sattar government. His Jatiyo Party attracted only party-deserters and self-seeking politicians. It did not have a mass following in the country. Since his assumption of power in 1982, Ershad had been under constant pressure from the civilian political forces to restore democracy.

The 1990 Pro-Democratic Upsurge

The movement for the restoration of democracy gained momentum by the end of 1990. On October 10, a peaceful sit-in demonstration before the government secretariat turned violent when police gunned down 5 people. The opposition parties severely condemned the killings and soon launched a countrywide agitation demanding the removal of Ershad.

To contain the situation, the Ershad government hastily closed down all the educational institutions. The reaction against the closure of colleges and universities was overwhelming. The students of Dhaka University suddenly buried their differences and formed an All-Party Student Unity (APSU). They vowed to continue their struggle until the country was freed from the clutches of Ershad and his autocratic regime.

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The students exhibited instantaneous unity that forced the political parties to cooperate and on November 19, the three alliances signed a joint declaration outlining the modality of transition from an authoritarian to a democratic polity. The joint declaration stated: (i) the opposition parties and alliances would not only boycott but also resist all elections under Ershad; (ii) Ershad must resign and hand over power to a caretaker government; (iii) the caretaker government would restore the credibility of the election system and ensure franchise right to all citizens; and (iv) the caretaker government would hand over power to a "sovereign" parliament elected through free and fair elections.  

The joint declaration added a new impetus to the ongoing anti-Ershad movement. The opposition parties organised a series of demonstrations and strikes in Dhaka and other parts of the country. The most striking feature of this phase of the movement was the participation of APSU, SKOP, various professional groups and cultural organisations. They unequivocally supported the formula for the transfer of power which was jointly prepared by the three opposition alliances.

Ershad in his attempt to quell the movement, resorted to terror tactics. He released two renowned student leaders of the BNP-affiliated Jatiyotabadi Chhatra Dal – Golam Faruq Ovi and Sanaul Huq Niru, from jail and armed them to attack peaceful rallies and processions. The Dhaka University campus was turned into a battlefield as fighting broke out between the supporters and opponents of the Ershad regime. Khaleda Zia immediately expelled both Ovi and Niru from the BNP's student wing.

In this whole episode, the Ovi-Niru group was used to divert the major political issue and to create confusion in the opposition alliance. But, finally, Ershad's strategy proved counter-productive. The intrusion of criminal elements into the university campus united the entire student community against the Ershad regime and the situation sharply deteriorated.

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87 See Hakim, n. 40, p. 204. The full text of the joint statement of the three opposition alliances is given in Appendix H, pp. 267-68.


89 See M. Ahmed, n. 60, p. 341.
The anti-Ershad movement took a decisive turn following the killing of Dr. Shamsul Alam Milon, Assistant Secretary, Bangladesh Medical Association by the henchmen of the regime on November 27. The news of Dr. Milon’s death infuriated the mass to call for Ershad’s immediate resignation. Realising the gravity of the situation, Ershad proclaimed a state of emergency as a last resort to save his regime. 90

But, the people were so agitated that they openly defied government bans: the opposition parties staged massive protest demonstrations on November 28 and 30, while the Journalists Union decided not to publish their newspapers and other professional groups, irrespective of their ideological affiliations, joined the movement. The doctors of Dhaka Medical College, teachers of Dhaka University and Bangladesh University of Engineering and Technology resigned from their jobs. The government received a further jolt on December 1, when 19 members of parliament belonging to ruling Jatiyo Party and led by Dr. M. A. Matin, former Deputy Prime Minister tendered their resignation to the speaker. On December 4, government workers in the Secretariat announced that they would not return to work unless Ershad resigned from the Presidency. 91

Overthrow of President Ershad

The entire civil administration of the country was brought to a halt by the work stoppage of the government employees in the Secretariat. Even the Bangladesh armed forces, which had stood solidly behind Ershad during the 1987 political crisis, deserted him this time. He resigned on December 4 finding no other option. He invited the opposition to nominate a new vice president and Chief Justice of the Supreme Court, Sahabuddin Ahmed was chosen unanimously. On December 6, Ershad dissolved the parliament and secured the resignation of Moudud Ahmed as Vice President. Thus, the Bangladeshi civil society’s protracted and bloody struggle to oust the Ershad regime came to an end.

91 See Keesing’s Record of World Events, November 1990, p. 37856; Maniruzzaman, n. 90, p. 207; M. Ahmed, n. 60, pp. 342-43; and Alam, n. 88.
The Causes of Ershad's Downfall

Ershad imposed an authoritarian personalistic rule in Bangladesh and the collapse of his regime was hailed as "the second liberation" of the country. A number of factors such as denial of civil liberties, police repression, inept handling of the economy, and growing corruption and nepotism, precipitated the 1990 political crisis and eroded much of the legitimacy of Ershad's rule. Apart from these, the regime's performance failures, withdrawal of support by military, bureaucracy and aid donors and resurgence of worldwide democracy also contributed to Ershad's downfall.

Military's Withdrawal of Support

The most important factor that accelerated the pace of Ershad's ouster was the withdrawal of support by the Bangladesh military - his main power base. In 1990, the military colleagues of Ershad did not want to back his attempt to suppress the mass upsurge by using the state power. A 48-hours hartal was called by the pro-democratic forces on November 20 which was later reduced to 24 hours following a direct overture by the military to allow the celebration of the Armed Forces Day on November 21. This clearly indicated that the military was drifting away from Ershad.

The Ershad regime could not create a credible support base among the middle-level officers who are crucial to any armed force. In spite of the regime's attempt to give the military a sense of rulership by appointing a large number of officers to lucrative civilian posts, these appointments were mainly selective, discretionary, and limited to senior officers and Ershad loyalists. A fairly large segment of medium and lower ranking officers who were not incorporated in the system of selective and discretionary patronage, played a key role in Ershad's removal from power. These officers had been openly critical about the growing corruption among a section of the higher echelon of the armed forces and it was conveyed to the army top brass that they were not willing to make the military vulnerable just to keep Ershad in power. Some of the senior officers were also

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92 The Times of India, December 7, 1990.
reluctant to support a former general — Ershad — who in their eyes had become a
"liability and an embarrassment".  

Reports suggest that during the November-December 1990 mass upheaval, the
army leadership had been divided between Ershad loyalists and neutralists. The senior
non-interventionist officers refused to act against the pro-democratic forces; but some of
the pro-Ershad officers were not unwilling to risk a confrontation with the protesters. The
decision to impose a state of emergency in late November had been taken without the
knowledge of the Army Chief Lt. General M. Nooruddin Khan, who was then in Saudi
Arabia inspecting the Bangladesh military contingent in the anti-Iraq coalition. In the
absence of the army chief, Ershad’s orders to deploy troops to the capital’s streets were
overturned by the Chief of General Staff, Major General Abdus Salam. He insisted that
the troops could not be moved without the specific sanction of the senior staff officers of
the army headquarters.  

Lt. General Khan sided with the neutralists after he returned to Bangladesh. He
made it clear to his office that he wanted the military to remain impartial in the ongoing
political crisis. He relied upon the support of the apolitical and professionally oriented
soldiers and rejected Ershad’s request and the interventionists’ pressure to take over
power in the final stage of the anti-Ershad movement. Given the strong desire of political
forces and the civilian society for democracy, the military high command apprehended
that an intervention could push the nation into a civil war. Perhaps, the military hierarchy
also realised that it would not be able to solve the country’s intractable politico-economic
problems.  

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93 See the Statesman, December 17, 1990; S. M. Ali, Civil-Military Relations in the Soft-State: The Case of
Bangladesh, ENBS/EC Research Paper No. 1/6-94 (Bath: University of Bath, 1994), pp. 54-55; and
Kabir, n. 2, pp. 559-60.
94 See Keesing’s Record of World Events, December 1990, p. 37907; Rizvi, n. 81, p. 157; Ali, n. 93, pp. 54-
55; and n. 84, pp. 14-15.
Resentment of Civil Servants

The Ershad regime antagonised another powerful and influential section of the society – the civil servants. In order to ensure his dominance over the bureaucracy, Ershad violated its rules, regulations, norms and practices in such areas as appointment, promotion, transfer and dismissal. The Martial Law Order No. 9, which was proclaimed barely two weeks after his seizure of power, empowered the CMLA to remove any government employee without assigning any reason. According to one estimate, about 3,015 civil servants were summarily dismissed from their jobs during the Ershad period. At least one-third of them were officers holding the rank of deputy secretaries and above. All these steps undermined neutrality, independence and efficiency of the bureaucracy and alienated a vast majority of the civil servants from the Ershad regime.

Moreover, Ershad’s attempt to militarise the civil administration had serious repercussions in the Bangladesh bureaucracy. The intrusion of military in personnel into the civilian sectors created discontent and a deep sense of insecurity among the senior civil servants. The Ershad regime claimed that the retired military officers were assigned to civilian jobs primarily to overcome the shortage of trained manpower in Bangladesh. A report, however, indicates that most of the appointees lacked the specialised knowledge and experience of the civil servants.

The relationship between the civil bureaucracy and the government had never been easy during the Ershad rule. Like their military counterparts, the civil servants too, distanced themselves from Ershad in the last days of his political crisis. In fact, nearly 100 top bureaucrats resigned from their jobs demanding the resignation of Ershad and restoration of democracy.

98 Sec n. 18, pp. 21-22.
99 See Far Eastern Economic Review, n. 95, p. 11.
Rise in Corruption

The prevalence of rampant corruption in government and administration undermined the credibility of the Ershad regime. The military officers who were promoted to key administrative, police and public sector posts, had amassed huge fortunes and the average Bangladeshi believed that the military was the major source of corruption. People felt that General Ershad and his military associates were siphoning off national wealth which otherwise would have gone to the people. After the fall of Ershad, Sheikh Hasina in an interview said that his military junta had “looted the country.” 100

Ershad was arrested on December 12, 1990, on charges of corruption and misuse of power. He had been accused of misappropriating funds in 1990, amounting to between $5-7,000,000 in the purchase of 3 advanced turbo prop aircraft from the British company, British Aerospace. 101 According to one report, Ershad was the direct recipient of payoffs from a leading Bangladesh trading company which had won a series of large government contracts on behalf of foreign suppliers. Senior military officers also became recipients of kickbacks in defence purchases. It was widely rumored in Bangladesh that an estimated amount of $150 million had been stashed away by Ershad in foreign accounts, including in U. S. and Switzerland. 102 All sections of the society were alienated by the Ershad regime as corruption and nepotism were most rampant.

Dismal Economic Performance of the Regime

The Ershad regime failed to improve the overall economic conditions of Bangladesh. There was a phenomenal rise of dependence on foreign aid and the pledge to bring ‘self-reliance’ on the economy remained unfulfilled. More of the country’s export earnings were being paid by the country to repay debts that was increased. There was a decline in domestic resource mobilisation and savings. Expenses in non-productive

sectors such as administration and defence were not checked. By 1990, the entire development budget was dependent on foreign aid and even part of current expenditures had been met through external assistance. Moreover, the stagnation of exports and the rapid build-up of import demand resulted in a marked depletion of foreign currency reserves. The total national foreign currency reserve fell to $450 million in March 1990 from $1.2 billion in February 1989.\textsuperscript{103}

The regime's performance in other areas of the economy was also unsatisfactory. In the 1985-86 fiscal year, about TKs 83.56 billion were distributed as credit, subsidy, tax relief, and so on to a limited group of private entrepreneurs for investment in productive sectors, and of that amount, TKs 20.00 billion were not repaid.\textsuperscript{104}

Despite government efforts to promote privatisation, a report showed that by about 60 industries had stopped production due to lack of raw materials, capital, regular and adequate power supply, and labour unrest by 1988.\textsuperscript{105} The other factors responsible for the poor economic performance of the regime included: cyclone; and growing corruption and cronyism. Economic conditions were worsened by the Gulf Crisis in 1990, leading to loss of remittances, prices hikes in petroleum products and the reduction of the country's exports to the region. An estimate stated that this would make Bangladesh incur a loss of $500 million annually.\textsuperscript{106}

The Ershad regime also neglected the social sectors. Some of the basic problems like illiteracy, rapid population growth, palpable income disparity, rural poverty, unemployment, malnutrition etc., were not resolved. During the military rule, more people became landless. A report shows that the numbers of landless peasants increased from 4 crores 1975 to 6 crores in 1990.\textsuperscript{107} Particularly dismal was the performance of the regime in the field of education. In spite of increase in budgetary allocation for

\textsuperscript{103} See the National Herald, December 7, 1990; Kabir, n. 2, pp. 562-64; and n. 86, p. 14.
\textsuperscript{104} See Kabir, n. 2, p. 561.
\textsuperscript{105} Ibid.
\textsuperscript{106} See n. 86.
\textsuperscript{107} See R. Islam, n. 102, p. 82.
education, its real problems remained unaddressed and no commitment to provide education to all children, was shown by the government. It should be mentioned here that in 1990, adult literacy rate was only 32%. The failure of the government to create new job opportunities, alleviate poverty, and curb the roaring prices of essential commodities, made the common people vocal against the Ershad regime.

The Role of the Aid Donors

The IMF, the WB and the donors were believed to have played a crucial role in the military's disengagement from power. They had complained about poor macroeconomic management and a weak capacity to absorb the aid that had been granted and the fall in some of the social indicators. It was their concerns about mismanagement that resulted in a downsizing of the aid package for Bangladesh at the April 1990 meeting of the consortium in Paris. The commitment of $1.8 billion to Bangladesh for the fiscal year 1990-91 was considerably less than $2.05 billion and $2.2 billion for fiscal years 1988-89 and 1989-90, respectively.

The Ershad regime was under pressure from the international money lending agencies to scale down non developmental expenditures. By the beginning of 1990, the regime was blamed for steep rise in defence budget. According to one source, over 30% of the revenue budget was spent on defence. The visting WB President, Barber Conable, categorically stated in Dhaka that the aid donors were not expected to sustain Bangladesh's military expenditure and they were unhappy over the diversion of development funds to defence.

The donors had also complained about the unrepresentative political system. It was reported that during the 1990 mass upsurge, the donor countries like Japan, Great

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Britain, and U. S. A. made it clear to Ershad that they would stop all the aid if the civil and democratic rights were not restored immediately.\textsuperscript{111}

Impact of Worldwide Democratisation

The collapse of Soviet Communism and the end of the cold war prompted several authoritarian countries of Asia, Africa and Latin America to move toward democratic politics. Like other regions of the world, South Asia also started undergoing a transition from authoritarian rule to parliamentary democracy by the end of the 1980s and early 1990s.

The political change in the developing world, particularly in the South Asian region, had a profound impact on the Bangladeshi intelligentsia, who wanted to establish a democratic system in Bangladesh.

A combination of all these factors led to the downfall of the Ershad government and paved the way for democratic transition in Bangladesh.

\textsuperscript{111} The Hindustan Times, December 8, 1990.