

# **Improving Military's Ability to Relate with Civil Society in Bangladesh**

by

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## **INTRODUCTION**

I must, first of all, thank the organizers of this workshop for giving me a chance to address the gathering on an important national issue. Civil-Military relations generate much debate and discussion in Bangladesh because of the ups and downs, turbulence and trepidations through which the relationship passed over the last four decades. This debate goes on not only in Bangladesh, but also in the most developed countries of the world such as in the USA, UK, or in our neighborhood in India and Pakistan. This relationship has often influenced domestic policies or its external relations, besides shaping the country's security structures. Now that we are once again consolidating our democratic polity, it is important to reexamine civil-military issues, identify shortfalls and recommend measures to build a strong, and vibrant relationship between the two important segments of the society. Before we venture further, it would be pertinent to examine the historical background.

## **HISTORICAL BACKGROUND**

Civil-military relationship in Bangladesh can be traced back to our Liberation War in March 1971 when young Bengali military officers of the Pakistan Army, of the rank of majors and below, along with troops under their command, revolted and joined the freedom fight at the call of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman. Nine months of mostly guerilla warfare followed by a brief stint of conventional war in December 1971, saw victory and the birth of a new nation - Bangladesh. Many of these officers had been steeped in the Pakistani military ethos of looking down at the politicians as corrupt and decadent. Some believed that military can administer better and must have a

role in the national affair. Their active and almost autonomous operations during the Liberation War further boosted their confidence. To their troops, and also to large numbers of irregular Freedom Fighters (FF) under their command, the leading officers appeared as Demigod. The loyalty of the troops was often to the commander as a person and not to the organization or the state. Added to this symbiotic relationship between men and officers who participated in the Liberation War was the induction of large numbers of officers and men repatriated from Pakistan in 1973-74. These military personnel made up the so-called 'Repatriated' group and generally had an acrimonious relationship with the former, the FFs. If one has to understand what happened from August 1975 to well in the 1990s, this sub-groupings and their inter-relationship must be taken into account. Most officers who were involved in uprisings and mutinies from 1975 to 1981 were from FF groups. However, the coup by Gen Ershad in 1982 marked the eclipse of the FFs and the emergence of the repatriated officers in the power structure of the armed forces.

From 1975 till the fall of Gen Ershad in 1991, politicians and a large section of the civil society played the second fiddle to what was trumpeted as democracy for development or grass-root democracy. The military's influential role remained even after the restoration of democracy in the post-Ershad era. Defence budget continued to rise, the size continued to grow and the military's hold in civilian administration continued. From 1991 till the emergence of Military-backed caretaker government in January 2008, we saw a gradual politicization of the military, often at the cost of professional competence. With every change of political government, a number of officers were identified as too close to the previous regime and were retired, or passed over in promotion. The morale of the officers corps was thus sapped which ultimately reflected on the discipline, command and integrity of the forces. The constitutional coup by military commanders on 11 January 2008 was welcomed by large section of the people, including the civil society. The euphoria soon died due to excesses committed by some military leaders. Instead of devoting their total energy towards holding a

free and fair election, which ultimately they did on 29 December 2008, they politicized themselves much to the discredit of the military institutions. There were attempts to form a National Security Council (NSC) where 3 Chiefs of the services would have permanent seats, and there was no shortage of civil society members who joined the chorus in support. Thankfully, the idea did not go too far. Excesses committed by the military intelligence, launching of so-called King's Party by obscure politicians, "the minus two formula" etc all added to discredit a government which could have finished its tenure with a clean slate. Now that we are back in the democratic track, a well-thought out map is needed to plan the civil-military relations. While my paper will focus on how Bangladesh military can better relate to the civil society, what the civil society, politicians, government and others need to do would also come in because as they say in Bangla, "*Ek hate tali baje na*" meaning "You cannot clap with one hand."

## **BUILDING CIVIL-MILITARY RELATIONS: MILITARY'S PRIORITY**

### **Constitutional Neutrality**

The most important decision that the military hierarchy will have to take is the renunciation of political ambition for the future. Apolitical civil and military administration is essential for democracy. Unfortunately, the image of both these institutions is tarnished in Bangladesh due to politicization. As far as the military is concerned, it can be stated that the military and the politicians must share the blame. There were always unscrupulous politicians encouraging scheming generals to come and seize power – this has been true in Bangladesh, as in many 3<sup>rd</sup> world countries. Thus, we saw politicians lined up in Bangabhaban for a share of the pie soon after the assassination of the Father of the Nation. In the same way, we saw politicians abandoning an elected President to line up with Gen Ershad while he was maneuvering for power. What we need to do now?

We need to start a massive education and motivational programme in all military

institutions about the constitutional role of the military. Our steadfast allegiance is to the constitution and the political masters chosen by the people. The military law in Bangladesh clearly states that while every military personnel, as citizen of the state, has the right to have his/her political opinion and has the right to vote in election, he/she cannot be member of any political party or propagate political ideology. Our best model for an apolitical military could be the next-door neighbour India, where despite political turmoil and chaos, scandal and squalor, the military stays strictly bound by its constitutional role of supporting the national government. It is important, therefore, that we devise an educational and motivational programme that emphasizes on the constitutional neutrality and political subordination of the military. The military personnel must grow up with faith in democracy and our role in defending the democratic order.

### **Obedience to Lawful Command**

The next important issue that comes to my mind is the question of loyalty and obedience to superior order. On occasions, officers and soldiers have blindly obeyed orders of the superiors that were clearly and obviously illegal. The plea had been on the unquestioned obedience demanded in military of a superior order. However, the law is clear in this respect. None is expected to obey an order that is obviously unlawful and given without the due jurisdiction. Actions taken in consequence of such an illegal order will be unlawful; lack of legal knowledge or superior's pressure would be no excuse from the culpability. It is, therefore, important that we inculcate in the minds of all military personnel a sense of right or wrong, a clear idea about the legal limitations of military action and consequences of carrying out an illegal order.

### **Appeal against Court Martial Verdict**

Lack of basic human rights as enshrined in our constitution to those in the military has often been a bone of contention for the military personnel, giving rise to grievances and inner tension. Military laws in Bangladesh were inherited from Pakistan, which had replicated Military Laws from the colonial Indian armed forces. For example, Pakistan Air Force Law, which was a copy of the Royal Indian Air Force Law of 1933, has been adopted in Bangladesh replacing 'Pakistan' with 'Bangladesh'. British Military Law for their own forces were much more liberal compared to what they prescribed for the native troops. Meanwhile, the British had further adapted and modified their laws with the changing times. British, US or Canadian military laws have been revised to provide fundamental human rights to the military personnel. In India too, many reforms have been done to make military laws more humane and conform to basic human rights. For example, only last year they instituted a separate Appeal Court composed of High Court judges that would hear the appeal to the verdicts of the Court Martial. In Bangladesh, the Chief of the services who orders the court martial also confirms the findings and sentences. He is virtually the prosecutor and the judge. The accused cannot appeal against the verdict of the Court Martial. Government and the services headquarters must work together to bring about the changes.

### **Compulsory Retirement of Officers**

Another often misused clause in the law is the power of the President to retire any officer any time without assigning any reason whatsoever – another legacy of the British crown. In the past this was rarely used, but nowadays it has been an easy way to deal with someone who does not toe the line. Thus, officers with integrity who stand up to question incompetence, corruption or irregularities run the risk of being retired without any notice. The wise ones, therefore, concur, much to the detriment of the service as well as the nation. According to the law,

this power is a prerogative of the sovereign, but here too “justice and fair play” must prevail. However, as we have recently seen cases of large number of officers who were prematurely retired by the previous regime were reviewed and in many cases their services were restored and they were retired with higher ranks. This proves the point that this provision was misused, and as long as it remains it might be misused again. In 1996, the then Awami League government asked the Services headquarters about the military laws that need to be revised or repealed. To the disappointment of many, the then Service Chiefs decided that nothing needed to change and the government was informed accordingly. Little they realized that the Damocles’ Sword of compulsory retirement would soon descend on them too.

### **Transparency and Accountability**

Much of the routine activities of Bangladesh military are shrouded in secrecy away from the public view. There is little awareness among the citizenry about the plans and progress of the military forces except the ceremonial glimpse that they have during the Armed Forces Day or during various National Day parades. Bangladesh had been allocating about 6-7% of its annual budget on defence. This year defence spending would exceed \$1 billion and would account for about 1.3% of the GDP, more than we spend on health or energy, for example. Yet, there was no discussion about how the money would be spent. The Finance Minister said on the floor of the Parliament that additional allocation is required this year for the Services to buy new equipment. Yet, we do not know if we are buying the right kind of equipment, in right quantity, in right price and those equipments would best address the present and future defence needs of the country. In the Western democracies there are lively debates in the press, TV, academia and, of course, in the Parliament on the defence strategy, employment policy, force structure, and equipment procurement. Even in India, defence issues are open to public debate and scrutiny. Unfortunately, in Bangladesh, we are lagging far behind. It is in the interest of the defence forces that they and the

government need to open up more. Although since 1992, there has been gradual progress, yet we should have done better. Our Parliamentary Committee on Defence needs to be more vigorous in their pursuit to ensure that the taxpayers' money is giving us the best defence and security environment. In this context, US Congressional Committee on Armed Services could be a guide. Those sessions are telecast live and Generals and Admirals are often subjected to intense grilling when summoned.

### **Reducing the Military-Civilian Gap**

Let me say that military in Bangladesh enjoys enormous popularity. This is evident from the popular demand to send in the military in tasks often far removed from their usual call of duty. Take the case of election, even local ones. Military is considered as impartial umpire and able to treat all sides without fear or favour. Military career continues to attract bright young people in hundreds despite increasing competition from civilian job market. Socially, a military person enjoys respect and honour, not easily found in other profession. Even in countries such as in the USA, in repeated surveys when asked, "Whom will you trust most?" military had consistently scored much higher than lawyers or politicians. The veterans in the USA are extremely powerful pressure group; no President can ignore them. Despite the goodwill that exists among people for the military, there are gaps that need to be bridged.

In Bangladesh, unlike in the USA or UK, the military tends to stay isolated from the civilian population. Whereas in the West local populace welcome military installation because it creates jobs and boosts economy, in Bangladesh we have sometimes acrimonious relationships with our civilian neighbours. In the US or UK, a local mayor or other public figures is often the Guest of Honour in sports or dinners; we do not see that here. It is in the interest of the military that we create advocacy groups among our intelligentsia, academia, industrial entrepreneurs who would speak for the military in the national forums. BISS, BEI etc are some

such organizations where the two could meet, but we need far greater exposure. Students, for example, could be taken on study tours to military establishments. Not only some could be inspired to join, many more would be saying positive things about military.

Some of the positive steps taken by the military in closing the civil-military gaps need be mentioned. Cadet colleges and a large number of good schools in military cantonments provide quality education to numerous students of civilian parentage. Military Institute of Science and Technology (MIST) and Armed Forces Medical College (AFMC) again admits large number of students who would join the civilian world as trained professionals. We could have more military-run technical and vocational schools to meet the increasing need of quality technical manpower in the country. High-ranking bureaucrats are already being trained in the National Defence College (NDC); similarly, military officers regularly attend courses in PATC. Recently, NDC started a short course designed for very senior people such as MPs, Judges, politicians, media personalities etc. The response was very encouraging. I hope these steps are further encouraged and the tie between the civil and military continues to strengthen.

Demographic structure of our military appears to be overwhelmingly Bengali Muslim male dominated. It was a bold decision by the past Awami League government to take in females in the officer cadre. Now we need to move the process forward by recruiting female in the other ranks too. If we can have females in Police or RAB, why we can certainly have them in the BDR or military. In order to be truly national institution we need to increase intake of religious and ethnic minorities and indigenous people in all branches of the forces and especially in the officer cadre. There must also be institutions within the military that caters to the religious and cultural needs of the minorities. At this time we do not have any.

In the field of upholding basic human rights the responsibility on the military is greater than ever before. While deployed in aid to civil power, the military, in the past had been accused of violation of human rights that has tarnished the image of a disciplined force. I am reminded of the “Operation Clean Heart” where too many custodial deaths were passed off as cases of “heart attack”. Such violations happened during the last caretaker government too. At a time when our forces are deployed around the world to defend human rights, how can we be accused of violating it at home? This is an area that the military high command needs to look into.

### **Reducing the Military-Media Gap**

Military’s relationship with the media has traditionally been from lukewarm to hostile. Media has traditionally seen military as a coercive force out to curb the freedom of press in the name of official secrecy. While media often failed to objectively represent military’s point of view, the military administration can also be blamed for not taking media along. Misinformation is born when the free flow of information is denied. That media can help build up the image of a military is evident from the US and Western experiences over many wars and conflicts. Western media helped kept the focus on the growing Soviet threat throughout the Cold War that justified huge military build up. Where the media brought out the weaknesses in the system, such as in the My Lai massacre in Vietnam or the Abu Ghraib prison scandal in Iraq, the media did actually serve a positive role by bringing out systemic failure which could one day lead to greater disaster. Realizing the importance of media, in the US military all commanders have professional media advisors. In fact, it is an important professional appointment that goes from field formations all the way to the Pentagon. What we have in the form of ISPR is nothing but an awfully under trained and understaffed organization that only dishes out press release that no one believes. This organization needs to be built up as a truly professional body that would keep the

media on the side of the military. The leading English language newspaper “The Daily Star” runs a weekly page on Strategic Issues that focuses on many military issues and help educate people on military matters. This is a step in the right directions. Other newspapers, TV channels etc. could start their own pages or shows. On this issue, both sides – military and the media, have important role to play.

### **CONCLUSION**

Healthy civil-military relations based on mutual respect and understanding is important for building a democratic society. While military provide a secure society free from external threats and internal enemies, the civil society provide the moral, financial and infrastructural support to the military so that it could carry out its assigned functions effectively and efficiently. While the military accepts the civilian political supremacy, the political leadership agrees not to politicize the military. A strictly apolitical military institution that represents popular aspirations acts as a pillar of democracy rather than a threat to it. In Bangladesh, we have responsibilities at all levels – political leadership, bureaucracy, civil society, media and the general public, to build up a strong, institutionalized military that would face new security challenges of the 21<sup>st</sup> Century. Our military, in its peacekeeping missions, acts as the ambassador of Bangladesh and a harbinger of peace and happiness around the world. At home too, the military would be a national institution, it would not be a coercive force, but would be the defender of democratic principles. With that hope I end, Thank you all.