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Highlights

Discovering Thoughts, Inventing Future

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Democracy and Good Governance in Nigeria: Challenges and Prospects

By Dr. Linus Ugwu Odo
IBB University, Nigeria

Abstract- After 55 years of political independence, Nigeria continues to grapple with the challenges of democratic transformation and good governance. All efforts by successive civilian governments to entrench true democracy and good governance in the country seem to have met brick walls in which for every gained step: two are lost. The generality of Nigerians had expected that the return of democratic rule to the country in 1999 will usher in a new dawn. These optimism, hope and great expectations were regrettably misplaced. The paper interrogates this state of affair and sheds light on those critical elements in the country's democratic experiment that tend to frustrate the enthronement of true democracy and good governance. Worried about the future prospects of democracy in Nigeria, the paper concludes with suggestions on the way forward towards the domestication of true democracy and good governance in the country, stressing that the time to act is now.

Keywords: democracy; good governance; transfor-mation; development; challenge; and prospect.

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Democracy and Good Governance in Nigeria: Challenges and Prospects

Dr. Linus Ugwu Odo

Abstract- After 55 years of political independence, Nigeria continues to grapple with the challenges of democratic transformation and good governance. All efforts by successive civilian governments to entrench true democracy and good governance in the country seem to have met brick walls in which for every gained step: two are lost. The generality of Nigerians had expected that the return of democratic rule to the country in 1999 will usher in a new dawn. These optimism, hope and great expectations were regrettably misplaced. The paper interrogates this state of affair and sheds light on those critical elements in the country's democratic experiment that tend to frustrate the enthronement of true democracy and good governance. Worried about the future prospects of democracy in Nigeria, the paper concludes with suggestions on the way forward towards the domestication of true democracy and good governance in the country, stressing that the time to act is now.

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I. Introduction

The history of Nigeria's democratization began at independence with the adoption of democratic institutions modeled on the British Westminster parliamentary system. Under this system, the prime minister who was the leader of the party with majority seats in the parliament was the substantive Head of government at the centre (federal) while the President was a mere ceremonial Head. From independence onwards, Nigeria has been grappling with the task of entrenching the culture of democracy in governance through its provisions in the independence constitution of 1960; and the Republican constitution of 1963. These constitutions have prescribed the British-modeled Westminster parliamentary system for the country.

After independence, the new political elite had the duty of not only institutionalizing the democratic process but for developing a political culture, which would buttress the inherited institutions from the British colonial authority. There were therefore, high hopes at independence of Nigeria emerging as a fertile and large field for the growth of democracy and good governance in Africa. However, by the end of 1965, it became obvious that the future of democracy and good governance in the country had become bleak. In January, 1966, the military aborted the new democratic experiment in a bloody coup d'état. The military, subsequently, held on to power for almost 33 years after the 1966 coup except for some flashes of civil rule between 1979 and 1983; and 1987-1989. In 1979, Nigeria adopted the Presidential system of government modeled after the American system in preference to the British parliamentary system.

Nigerian's short-lived democratic experiment after independence could be attributed to the following factors among others:

- Breakdown of the rules of the game of politics, which profusely polluted the political stadium and made politics as dangerous for players as well as spectators;
- Gross misuse of political power;
- among public officers including impudent political and economic decisions in allocation of scarce but a locatable resources;
- Erosion of the rights of individuals;
- Disenfranchisement of the Nigerian populace through blatant rigging of elections;
- Conspicuous consumption of politicians amidst the abject poverty of the masses; and
- Excessively powerful regional governments, which threatened the relatively weak federal centre with wanton abandon (Elaigwu, 2011).

These challenges made it difficult for the first democratic government in Nigeria under the prime minister ship of Abubakar Tafawa Balewa to build a solid democratic culture and good governance. Indeed, for a country that was granted independence without a strong economic base as well as porous democratic culture it was expected that the military and the political elite would have been more cautious because it was a period of learning the state of the art of democracy. This was the period when democratic institutions were expected to be established and democratic culture accepted and imbibed by the state actors and civil society at large. As Mohammed (2008) cited in Yio (2011) observed, in this phase, success and goal attainment depend on how quick the leaders and the society learn to work on the basis of democratic principles and practices. Unfortunately, in Nigeria, politics were not driven by nationalistic and class consciousness but by primordial sentiments of ethnicity, religion, regionalism, etc with the consequent deepening of poverty and under development in the country.

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Democratic politics and good governance did not fare better in the Second Republic as well as the Third Republic. But since 29 May, 1999, when the Fourth Republic was ushered in, politicians in government have continued to use the phrase "dividends of democracy" which refer to the provisions of material welfare to the people, such as roads, rural electrification, potable water, improved educational and health facilities, housing, amongst others. However, It is pertinent to note that democracy and good governance in Nigeria and elsewhere in the world cannot be achieved through the mere provisions of material welfare such as roads, jobs, food, electricity, education, health care services and others since they are even easier to provide under authoritarian rule. As Elaigwu (2011) observed:

> In Britain, issues of economic distribution were handled before political rights. The success of the "Asian Tigers" lies in their utilization of authoritarian political structures for aggressive economic development. Democratization followed later.

Democracy provides rights to groups and individuals. It presupposes the right or freedom of expression by the individual. When this is allowed under democracy, the government will be more accountable to the people as of right. In addition, people can insist on transparency in government business and with this, leaders in government can no longer violate citizen's fundamental rights with impunity. Indeed, successive governments in Nigeria since independence have failed to expand the frontiers of freedom or liberty and respect for human and individual rights, which are the core values of democracy and clear indices of good governance. In the country's 55 years of political independence, none of the two experimented models of democracy i.e. the Parliamentary system, and the Presidential system, have been able to internalize democratic culture and good governance. There are critical challenges militating against the enthronement of democracy and good governance in Nigeria, which demand attention. This, then, underscores the concern of this paper. In simple terms, the objective of the paper is to identify and discuss the challenges to democracy and good governance in the country and proffer suggestions for a better democratic Nigeria.

The paper is structured into sections. The first section is the introduction, which states the problem the paper sets out to discuss. The second section is the conceptual clarification of the key terms used in the paper to ensure proper understanding of the underlying discussions. The third section addresses the challenges and prospects of democracy and good governance in the country. The fourth section offers suggestions on the way forward towards domesticating democratic culture and good governance in Nigeria; while the fifth section is the conclusion.

II. Conceptual Clarifications

Democracy and good governance are the key terms used in the paper, which require clarification.

Democracy: The term democracy like most concepts in social sciences lacks a precise single definition rather; it is generally a matter of intellectual supposition. There are various meanings, opinions, perceptions and definitions of the term by scholars and philosophers like Rousseau, Locke, Jefferson, Lincoln and Mills (Akindele, 1987). According to Elaigwu cited in Yio (2012), the concept of democracy is alien to Africa and needs to be domesticated to Nigeria (Africa)'s local conditions and targeted to her peculiar problems. He went further to define democracy as:

> A system of government based on the acquisition of authority from the people; the institutionalization of the rule of law; the emphasis on the legitimacy of rules; the availability of choices and cherished values (including freedom); and accountability in governance.

This definition brings out the principles of democracy and the core one being the residence of sovereignty with the people. As Yio (2012) had argued, from its Athenian origin, democracy is viewed as "Government by the people with full and direct participation of the people". But democracy in practice even in Athens was not inclusive in the absolute sense as it excluded women and slaves who were integral components of the Greek city states.

Huntington (1996) argued that a political system is democratic; if it's most powerful collective decision makers are chosen through fair, honest and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote. It also implies the existence of all those civil and political freedoms to speak, publish, assemble and organize that are necessary for political debate and the conduct of electoral campaign. Also, Cohen (1971) noted that democracy is a system of community government in which by and large the members of the community participate or may participate directly or indirectly in making decisions, which affect them. This means that democracy could be seen as any systemof government that is rooted in the notion that ultimate authority in the governance of the people rightly belongs to the people; that everyone is entitled to an equitable participation and share in the equal rights; and where equitable social and economic justice are the inalienable rights of individual citizens in the society.

Chafe (1994) on the other hand, opined that democracy means the involvement of the people in the running of the political, socio-economic and cultural affairs of their polity. Schumpeter cited in Ukase (2014) sees democracy as a method by which decision-making is transferred to individuals who have gained power in a

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competitive struggle for the votes of citizens. It is a situation in which people have the opportunity of accepting or rejecting the men who are to rule them. Also, Sand brooks cited in Ukase (2014), captures the concept thus:

> Democracy is a political system characterized by regular and free elections in which politicians organized into political parties; compete for power by right of the virtue of all adults to vote and by the guarantee of a range of political and civil rights.

Abraham Lincoln offered one of the simplest definitions of democracy as "government of the people by the people and for the people". In this wise, democracy is first and foremost people-centered. It also involves mass participation and basic individual freedom as its hallmark. Ukase (2014) stressed that democracy demands that people should be governed on the basis of their consent and mandate; freely given to establish a government which is elected, responsive and accountable to the people.

In spite of the differences in conceptualization and practice, all the versions of defining democracy share one fundamental objective, which is how to govern society in such a way that power, actually belongs to the people.

Good Governance: The concept of good governance defies a precise single definition that commands universal acceptability. This has given rise to different meanings of the concept. The World Bank (2003) provided a simple definition of good governance and an extensive detailed analysis of its major components. Here the Bank contends that governance consists in the exercise of authority in the name of the people while good governance is doing so in ways that respect the integrity and needs of everyone within the state. Good governance, according to this conception, is said to rest on two important core values, namely: inclusiveness and accountability.

Madhav (2007) contends that good governance is tied to the ethical grounding of governance and must be evaluated with reference to specific norms and objectives as may be laid down. Ozigbo (2000) cited in Okpaga (2007) opined that before one discusses good governance, it is first necessary to examine the context of the term governance. According to him, governance denotes how people are ruled and how the affairs of the state are administered and regulated. Governance refers therefore, to how the politics of a nation is carried out. Public authority is expected to play an important role in creating conducive environment to enhance development. On this premise, Ansah (2007) viewed governance as encompassing a state's institutional and structural arrangements, decision-making process and implementation capacity and the relationship between government officials and the public.

Governance can therefore, be good or bad depending on whether or not it has the basic ingredients of what makes a system acceptable to the generality of the people. The ingredients of good governance include freedom, accountability, and participation (Sen, 1990). The basic features of good governance include the conduct of an inclusive management wherein all the critical stakeholders are allowed to have a say in the decision-making process. Accordingly, good governance is the process through which a state's affairs are managed effectively in the areas of public accountability, financial accountability, administrative and political accountability, responsiveness and transparency, all of which must show in the interest of the governed and the leaders.

It, thus, means that good governance thrives in a democratic setting; hence to achieve good governance, there must be a democratic system in place. By this, it means where there is no democracy there cannot be good governance, which explains why democracy as a system of government commands such popular appeal among the countries of the world today.Although, the concept of good governance lacks any precise single definition that commands universal acceptability, there is little disagreement over its defining elements, which include accountability, transparency, predictability, the rule of law, and participation.

III. Reflections on Democracy and Good Governance in Nigeria

Democracy and good governance are the most successful political ideas of the 21st century. Democracy lets people speak their minds and shape their own and their children's future. Many people in different parts of the world are prepared to risk so much for these ideas, which is a testimony to their enduring global appeal. The idea of democracy became popular in Nigeria following the rise of nationalist movements to demand for the country's independence from British colonial rule. This paved way for the introduction of political parties to enable Nigerians contest for elective positions. For instance, in 1922 Governor Clifford introduced elective principle in respect of the three legislative seats in Lagos and one in Calabar. This was followed by the formation of the Nigerian National Democratic Party (NNDP) by Herbert Macaulay in 1923. The development continued with more political parties coming on board and in 1960, Nigeria gained independence under a democratically elected government.

Democracy in Nigeria has come a long way in the past two and half decades with four transitional elections and as many as over 10 million registered voters (Aremu, 2014). On May, 29th 1999 the country restored civil democratic rule after a protracted military rule that lasted for more than three decades. Since then, the democratic system including the structures meant to

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consolidate it have experienced some stress mainly due to the hang-over effect of the prolonged military rule whose common denominator was the lack of democracy, accountability and good governance. The abuse of these time-honoured principles of governance was legendary and its negative impact on Nigerian's politics is better imagined than stated. Thus, after two and half decades of a return to democratic rule in Nigeria, the country is not anywhere near the realization of the ideals of good governance, which is the natural accomplishment of democratic rule.

In Nigeria, the exhilaration generated by widespread dehumanizing poverty and under development; insecurity; corruption; mass illiteracy; unemployment; amongst others has created mixed feelings about the desirability or otherwise of democracy. Democracy in Nigeria is going through difficult times as viable democratic institutions such as credible electoral system; independent judiciary, rule of law, etc are yet to take root in the country in the face of such flaws like massive corruption in every facet of the nation's public life. These flaws in the system have become worryingly visible giving rise to disillusion with politics. The ability of the democratic system to transform the lives of the people is dependent on its provision of adequate mechanisms for the smooth conduct of elections that culminate in the transfer of power from one regime to another.

This is an area, which Nigeria is still not performing to expectations. The lack of credible election has resulted in the erosion of political legitimacy on the part of public office holders. For instance, the 2003and 2007 elections in the country were marred by brazen electoral frauds. Where democracy is devoid of credible elections, good governance is negated and the sovereignty of the people is relegated to the background if not completely denied. The result is that majority of the people would become subservient to the whims and caprices of the political actors who are shielded from any legal action by the immunity clause; hence they conduct themselves based on their proclivities. Even with the noticeable improvement in the freedom of speech and respect for the rule of law, the effort of the government in establishing a peaceful democratic society has been bedeviled with problems. Some of these problems are systemic and therefore, have much to do with the way the institutions of democracy are used for expediency.

Others are attitudinal and hence, the result of the failure of the Nigerian state and the political elite to change their attitude of "business-as-usual" with zero impact; and cultivate a new mindset that conforms with democratic principles. Thus, Nigerians are not only disenchanted and disillusioned with the way and manner the government is toying with the public affairs but also lost hope in the leadership of the country at all levels of government. As Achebe (2004) decried the situation, "I am disappointed with Nigeria… Nigeria is a country that doesn't work".

In a true democracy, the will of the people is the basis of the authority of government. Nigeria operates a nominal democracy in which it maintained the outward appearance of democracy through elections but without the rights and institutions that are equally important aspects of a functioning democratic system. Indeed, democracy and good governance are the bases for legitimacy, social mobilization and development because of their responsiveness to the yearnings and aspirations of the poor majority of the population. Good governance translates into the provision of basic infrastructures, access to medical and health-care services, educational, industrial, and agricultural development of the society, and above all, the institutionalization of the rule of law.

IV. Challenges and Prospects of Democracy and Good Governance in Nigeria

The quest for democracy and good governance has been a major pre-occupation of the Nigerian state since her independence in 1960. This aspiration has remained elusive due to many challenges, which have continued to undermine the democratization process in the country. These challenges include failure of leadership; corruption; Boko Haram insurgency; insincerity of purpose; lack of political will; lack of proper vision by the political leadership; lack of accountability in governance; amongst others.

Failure of Leadership: Since Nigeria's political independence in 1960, the country has not had the opportunity of being governed by a willing and ready leader but those that can at best be described as "accidental leaders". These are leaders whom the mantle of leadership fell on them by default not minding their capacity, experience and in most cases, they were neither prepared nor expectant of such huge responsibility. This has been one of the reasons for the country's failures resulting from visionless policies. Thus, the 2015 election offers Nigerians a good opportunity to vote wisely for a leader who out of personal conviction and preparedness is offering his or herself to serve rather than someone who will get there before beginning to plan. This underscores the fact that most of our developmental challenges are rooted in lack of sound, visionary and result-oriented leadership.

The issue of leadership accounts for the problem of Nigeria since independence more than all other speculative and assumed problems often adduced by scholars. Most Nigerian leaders have shown lack of commitment for true nationhood and allowed personal ambitions and ethnic, regional as well as religious persuasions to override national considerations. As Chimee (2009) noted, the three

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major strands that account for leadership failure in Nigeria are lack of ideology; ethnicity; and corruption. In all the activities of the country's political elites in leadership positions, the three variables played considerable role.

Nigeria, today, runs a democratic system of government that is expected to promote democratic values of public accountability; transparency; good conscience; fiscal discipline; due process; amongst others. However, there is lack of credible leadership to enforce these characteristics of democracy and good governance. This is the tragedy of the Nigerian nation, which explains its crawling posture at 55 years of political independence.

Corruption: Another serious challenge to democracy and good governance in Nigeria is the entrenched corruption in all facets of national life. According to Joseph (2001) cited in Osimiri (2009), corruption has resulted in catastrophic governance in Nigeria. In view of the deleterious effect of endemic corruption on governance, various governments in the country have embarked on anti-corruption campaigns. For instance, the Obasanjo administration established the Economic and Financial Crimes Commission (EFFC) to champion the war against corruption. As Osimiri(2009) noted, the Commission gained such level of notoriety in the country that it is often said that the fear of EFFC is the beginning of wisdom.

Thus, an over view of democracy and good governance in Nigeria with regards to transparency, inclusiveness, and the fight against corruption tend to paint a faint picture of some improvement but the records have much to be desired. While the EFCC, especially, under the Obasanjo administration received much commendation from within and outside Nigeria, it has been selective in focus and alleged to have been occasionally used as an instrument of silencing political opponents.

Electoral system: It has been pointed out that in the political arena, even though elections are gradually becoming part of the political culture in Nigeria, they are typically manipulated and hijacked by "money bags" and incumbents, who deploy all state's apparatus of power and resources to ensure their re-election. Thus, elections in Nigeria are largely nothing but a charade to perpetuate the reign of the perfidious. Free and fair elections confer legitimacy on the electoral process. The wide spread electoral malpractices, which often characterize elections in Nigeria are inimical to the consolidation of democracy and good governance. In 2011, the outcome of the general elections in Nigeria was followed by the eruption of violence and wanton destruction of lives and property for alleged election fraud. If people are to have faith in democracy, the most cardinal point is that they must be assured that their votes count in determining who will govern; and in getting rid of a government that has failed them.

Rise of Insurgency: Boko Haram has become a disaster of un-imaginable proportion. The terrorist activities of the group has retarded socio-economic and political development of the country, especially in the north eastern region, hence it poses a major challenge to democracy and good governance. Since insurgency is inimical to democracy and good governance, the only way to remedy the situation is to fight it to a stand-still. Thus, mustering the political will to pursue a full frontal attack on Boko Haram is no longer an option, it is the most desirable course of action. Many Nigerians are unable to come to terms with, why a so-called Africa's best army has been unable to bring to an end this horrendous situation. However, the military approach must be backed by a political solution, which will address the challenges of poverty and underdevelopment of northern Nigeria.

Impunity: This is a threat to democracy, which is not measured by the existence of democratic structures but by the promotion of rule of law. Thus, in Nigeria's quest for democracy and good governance, the impunity clause must be expunged from the constitution, in order to domesticate the equality of every Nigerian before the law.

These challenges are antithetical to the achievement of democratic culture and good governance. They are no doubt, immense and daunting but not insurmountable, once there is the political will to resolve and overcome them for the enthronement of democracy and good governance in the country.

V. Way Forward

The enthronement of democracy and good governance in Nigeria are necessary for the socio-economic and political transformation of the country in the 21st century. Indeed, Nigerians demand good governance, justice, equity, fairness and real development and progress of the country in order to encourage confidence and trust in the polity. To this end, the following measures are suggested to fast-track the process of deepening democracy and the enthronement of good governance in the country:

- There should be deliberate government policies to strengthen democratic institutions like political parties, the National Assembly; the Judiciary; the Independent National Electoral Commission (INEC); Civil Society; anti-graft agencies such as the Economic and Financial Crimes Commission (EFCC); amongst others. These institutions must be allowed to operate freely and effectively to ensure the growth and sustenance of democracy and good governance;

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- The fight against corruption must be carried out with total commitment from the political leadership backed by strong political will devoid of lip-service and rhetorics. Also, there should be a serious drive towards poverty reduction and inequality through people-oriented policies and programmes, which would address the basic necessities of life such as food, shelter, health-care services, safe drinking water, electricity, education, employment, amongst others;
- The political leadership in Nigeria must imbibe the culture of leadership by example anchored on selfless service to the people with total commitment and sacrifice. They should not see political office as a means of self-enrichment and personal aggrandizement;
- There is need for attitudinal change through a re-branding of the country's value system to promote hard work, integrity, honesty, transparency and accountability at all levels of governance. In addition, people should be enlightened and empowered to demand from their elected representatives report of their stewardship;
- Political offices should be made less attractive not to entice money conscious politicians and allow those who are genuinely concerned about rendering service into seeking offices;
- Election is one of the foundation principles of democracy. Elections should thus, be conducted in a free, fair and most transparent manner such that peoples' votes count in the choice of who become their leader; and
- The impunity clause for certain categories of political leaders should be expunged to make them accountable to the electorate while in office; etc, etc.

With a sincere implementation of these suggested measures there is much hope for democracy and good governance in Nigeria.

VI. Conclusion

The paper has examined the synchrony between democracy and good governance in Nigeria, the challenges and prospects. The analysis suggests that while the country is not oblivious of the crucial importance of democracy and good governance in fast-tracking its development and progress, there are challenges, which tend to undermine their actualization. The paper has therefore, recommended measures to address these challenges in order to enhance the prospects of deepening democracy and good governance in the country; stressing that the time to act is now.

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Pupils' Unconventional Political Demonstration as a Result of their Political Socialization: Empirical Approach in Secondary Schools of Central Macedonia

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Abstract- This paper presents a research that was carried out in autumn 2015 about the unconventional political demonstration of secondary education pupils. The sample consisted of 960 questionnaires that were collected from schools of central Macedonia. The purpose of this research was to examine the factors that influence pupils to occupy schools every autumn and to describe the profile of the pupils that act in this way. At first a brief introduction in the notion of political socialization is attempted putting forward the factors that determine the degree of pupils' politicization such as the family, the peer group, the school and the mass media. Secondly, a link between political socialization and political demonstration is attempted commenting on the habit of occupying schools every autumn. The results of the research show that the majority of students do not participate in such actions as well as a tendency of male pupils to participate more than the female. Also, pupils from vocational schools show a tendency to take part in occupations as well as in provocations in relation to pupils from gymnasia and normal high schools (lyceums).

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I. Introduction

School is one of the most important socialization entities, because apart from conveying knowledge and developing the skills of students, aims at transmitting values and rules that govern the function of society as a whole. Herbert Hyman, who for the first time referred to the notion of political socialization, described it as "the learning of social patterns, corresponding to (...) social positions as mediated through various agencies of society" (1959: 25). Many scholars have dealt with this notion and the way it is defined, used and evolved in time.

It is obvious that socialization is an important factor of transmitting political interest. Different actors play an important role in this process, in parallel with the mass media (Adoni, 1979· Lupia & Philpot, 2005) and the political climate (Muxel, 2001, 2002· Sears & Valentino, 1997). An important parameter of sensitization is that of social networks that comes from the field of sociology. Lazega (1994: 293) describes it as the sum of special type relations (cooperation, advice, control, influence etc.) among the actors. Whereas parents typically are recognized as the primary factor of social network, two others should not be neglected: the peer groups and the teachers. The influence of these three factors is not the same, due to the fact that their role in adolescents' life is different and evolves as time goes by. Parents typically are considered as the most important socialization factor, at least for the adolescents. The first studies in relation with political socialization, which were conducted in 60s and 70s, emphasized the relation between the parents and the youngsters (Dawson & Prewitt, 1969· Dennis, 1973· Jaros, 1973), and referred to the influence of the former to the latter.

As the adolescents grow up, their friends become more important. Berndt reports that the most essential occupation of adolescents is the conversation with their peer groups (Berndt, 1982). From his point of view Coleman mentions that even though adolescents solemnify their parents, pursue at the same time the approval, the admiration and the respect of their friends in their everyday activities in and out school (Coleman, 1961).

Whereas the importance of friends during adolescence has been studied a lot, their influence in political socialization is not obvious and only a bunch of scholars has dealt with it. One of them, Campbell (1980, 2004, 2006), found a weak influence of peer groups, while Lange (2002) figured that peer group influence is focused on the hardest issue in his opinion which is the transition from the medium to the highest level of political activity. Whereas parents and friends remain emotionally close to adolescents, the teachers also play an important role in the socialization process. The adolescents every day spend at least five hours paying attention to what their teacher say. Some of them may speak about politics, either as a part of an educational program, or because a teacher feels the need to speak about it. These discussions will have a repercussion on the development of adolescents' political interest. Every school has its special characteristics but generally it plays a defining role.

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The first results regarding the influence of school on political socialization were pretty disappointing. Langton and Jennings figured that civic education as a subject did not have in any way an impact on political socialization. They considered that the link between the number of civic education subjects and variables such as general political knowledge and interest for political discussions is so impossible that persons in charge should seriously think the abolishment of these subjects. Their conclusion is obvious: "Our findings do not support those who believe that curricula of civic education in American high schools are a source of political socialization" (Langton & Jennings, 1968: 863).

Since then this point of view has been confuted and school gains its status as an important factor in the process of political socialization. Many contemporary researches have proved the essential role of civic education as a subject in the development of political conscience (Claes, Stolle & Hooghe, 2007· Denver & Hands, 1990· Niemi & Junn, 1998). Apart from learning procedure, Tournier (1997) reached the conclusion that school and family interact, so as to develop the ideological preferences (left or right) of French students while David Campbell (2006) remind us that the social frame often is not taken into account in the procedure of socialization. Adolescent experiences have an impact on the adult behavior with the civic norms that are learnt in young age having a long term results, especially as the participation is concerned. Despite the fact that school impact shows to regain its power, studies do not reach the same conclusion as the teachers' impact is concerned. In a relevant research it has been deducted that political discussions are not an important part of teachers' role. Even though teachers believe that school is an essential factor of political socialization, they attribute a more important role to family and to mass media for this purpose (Trottier, 1982).

Some researchers believe that school is the most crucial entity of socialization because its defined role is the promotion of knowledge (Μπιτσάκη & Τσαγγάρη, 2000). In Greek educational system political learning takes place through teaching subjects such as Civic Education in the third grade of Gymnasium, Civic Education in the first and second grade of Lyceum, Politics and Law in theoretical field of second grade of Lyceum, Basic Principles of Social Sciences in the second grade, Sociology in the third grade of Lyceum and History in all grades of Gymnasium and Lyceum. Additionally political learning is obtained indirectly though ceremonies and national holidays as well as in extracurricular activities like student councils and sports that can promote cooperation and tolerance. The major socializing project of school is located in the framework of knowledge, especially in transmitting knowledge for constitutional principles and for applying them in citizens' occupation with politics. Students who obtain this knowledge feel capable of participating in politics. Possibly they can become more eager to be informed by mass media about issues that concern politics and to be more energetic in local community. Studies revealed that school efficiency in developing civic orientations depends on the abilities of teachers and the innovations of school curricula (Owen, 2008).

Students that have experiences of innovative approaches, such as lesson plans, which are connected directly with political issues, tend to deal more with politics during their adulthood. Even though schools have great abilities as entities of political socialization, they do not always achieve successfully their work and do not teach the basics about government. Moreover, the average time that is spent on issues about civic education is less than three hours per week. A phenomenon that is repeated periodically the last years is the sit-in of the schools due to students' protestations about different aspects of the educational system. This tendency is not accidental but is repeated every academic year especially in autumn. A lot of studies have been written which connect the sits-in as unconventional political demonstration with political socialization of students in school (Μυλωνάς, 2006).

II. Political Demonstration by Adolescents

In western democracies there is the prediction by the labor legislation that workers can go on strike aiming at exerting pressure, so as to safeguard their rights against their employers. The right of strike is an ultimate resort and is applied in those cases in which efforts to mutual understanding and compromise between workers and employers fail. The meaning of this right consists in the fact that it realizes the scope for which it was created as long as it is used prudently. To substantiate the last argument the international statistical analyses show that the more a country prosper and its economy indices are high, the less its workers use this right (OECD. 2012).

According to some researchers the phenomenon of sits-in of schools is a kind of strike on behalf of students and it is categorized conceptually in the frame of the so-called youth political demonstration which uses unconventional media of political participation (Barnes & Kaase, 1979). Some ascertainments and findings that were arisen from researches in 60s and 70s regarding university student demonstrations are valid in the case of pupils sits-in in a certain degree, taking of course into account pupils age and their political immaturity.

It has to be noted that pupils' political immaturity is valid respectively and for pupils of other European countries – with differences among the countries. Nevertheless schools sits-in by European pupils are very rare, considering also the periodicity of

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this institutional anomaly and the damages that it causes, as it happens in Greece (Kim, 2007).

It is a fact that sits-in as a kind of political demonstration on behalf of pupils disorganize school learning procedure, which in every organized society is the way of transmitting knowledge and the normative patterns of its cultural system to the next generation, aiming at the timeless maintenance of society's cultural identity as the generations pass. The cases of civilizations with a weak educational system which did not maintain their cultural identity and disappeared as the centuries were passing by, prove the legitimacy of functionalists' points of view who claimed that educational system is the reproductive system of a society.

According to functionalist theory, versus workers who have strike as their working right, pupils, in the status that they are due to their age, do not provide neither a productive result to the society nor a service whatsoever but, on the opposite, they are recipients of society's benefits. To the adolescents that are in the status of pupil, modern welfare states have provided extra privileges due to institutionalized extension of puberty which takes place in modern states and their sole obligation to the society is their compliance with the rules of school teaching and learning. This benefit on behalf of the society functions primarily as an advantage of their development having as an ultimate aim the improvement of their standard of living (Κελπανίδης 2002: 230-236, Κελπανίδης 1991: 109-128). School as the main civic institution of the socialization process focuses on the preparation of youngsters for their future integration to the society.

The most important result of the repetitive tendency of the pupils to access to the medium of sits-in of schools is not the loss of lessons and the damages that happen which are not negligible in any case, but the decline of school as an institution and its prestige, due to the fact that this institution forms the future active citizens in well-organized societies (Γκότοβος 1996: 10). The school in these societies is the place where the respect and the acceptance of civic institutions and normative patterns are internalized by the young members. Consequently, the decline of its prestige as an institution brings forward inevitably the decline of civic institutions' prestige as a whole. It is not possible for the young members of the society to internalize respect and the acceptance of normative patterns within a weak procedure of education by an institution which essentially has no prestige. Because it is self-evident that a school that has lost its institutional prestige, is not in a position to transfuse to its pupils the respect towards other civic institutions and the relevant normative patterns.

III. Purpose of the Research

The purpose of this research is to examine secondary education pupils' points of view about political demonstration which is expressed in two ways: either with the sit-in of schools or with the provocative attitude towards the teachers with whom pupils disagree. Also, statistical significant relations will be seeked among these variables and independent ones such as pupils' sex, type of school and the general grade. Additionally, youth political demonstration will be examined in relation with the watching of informational programs on television.

IV. Methodology of Research

For the examining of the researching problem survey was considered as the most appropriate method which, despite its limitations, is considered more advantageous for the purpose of participating a large number of secondary education pupils from central Macedonia. Schools from the prefectures of Kilkis and Thessaloniki were chosen so as to be presented the pupils' points of view from urban, semi-urban and rural areas.

The questionnaire of this research was based on two previous researches that were conducted for similar reasons. The first is the research that was conducted by Michalis Kelpanidis in 2012 and concerned the examining of pupils' points of view about sits-in. The second is a research conducted by Staurakakis and Demertzis about the youth and their attitudes on different issues of their daily life (Δεμερτζής & Σταυρακάκης, 2008). At first, a pretest research was conducted in a lyceum class so as to ascertain pupils' attitude towards the questionnaire and to calculate the time that was needed in order for the pupils to fill it. In general the results showed a good reception while time did not exceed 25 minutes. Once the research was approved by Institute of Educational Policy and instructions were given, letters were sent to pupils' parents so as to approve the participation of the pupils to the research. It has to be noted that all parents gave their consent without any objections. After having distributed approximately 1100 questionnaires to pupils, 960 were given back and this is the final sample of this research.

In this research six schools from central Macedonia took part: a general lyceum and a gymnasium of Thessaloniki, a vocational school from the prefecture of Kilkis, two general lyceums and a gymnasium from the prefecture of Kilkis which belong to a semi-urban area because the population of the town is more than 10000 inhabitants and one lyceum and a gymnasium from rural areas, that is villages with less than 2000 inhabitants. The exact number of pupils regarding the area where they live is presented in the following table 1:

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Table 1: Distribution of pupils regarding the area

	Frequency	Percentage
Urban	236	24,6
Semi-urban	509	53,0
Rural	215	22,4
Total	960	100,0

The sex of the pupils that participated in this research is presented in the following chart and it shows that 54,7% are boys and 45,3% are girls:

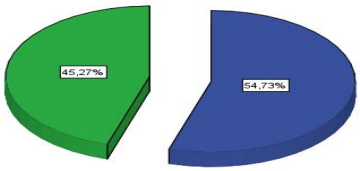


Chart 1 : The sex of the pupils of the research

As pupils' ages were concerned, great variance is observed due to the fact that in this research a vocational school took part in which older pupils attend. Also, in the area there is not a second chance school and many adults who did not complete their secondary education, choose the vocational school to acquire the necessary skills. The ages of the pupils are presented in table 2:

Table 2 : The ages of the pupils

	Frequency	Percentage	Cumulative Percentage
50 to 24 years old	13	1,4	1,6
23 to 17 years old	258	26,9	32,5
16 to 14 years old	430	44,8	84,2
13 and below	132	13,8	100,0
Total	833	86,8	
Missing	127	13,2	
Total	960	100,0	

Table 3 and 4 presents the frequencies of the pupils according to the type of school they attend as well as their grade:

Table 3 : Types of school

	Frequency	Percentage
Lyceum	416	43,5
Gymnasium	283	29,6
Vocational School	257	26,9
Total	956	100,0
Missing	9	,4
Total	960	

Table 4 : Grades

Class	Frequency	Percentage
A Lyceum	217	23,1
B Lyceum	147	15,7
C Lyceum	292	31,1
A Gymnasium	96	10,2
B Gymnasium	50	5,3
C Gymnasium	137	14,6
Total	939	100,0
Missing	21	
Total	960	

The performance of each pupil as it is depicted in the final grade will be an important independent variable for further analysis. The following chart shows that the average grade of 740 questionnaires is 16.09 and its standard deviation is 2,351. It has to be noted that 220 pupils did not want to answer claiming that this information is personal data irrelevant with the purpose of this research.

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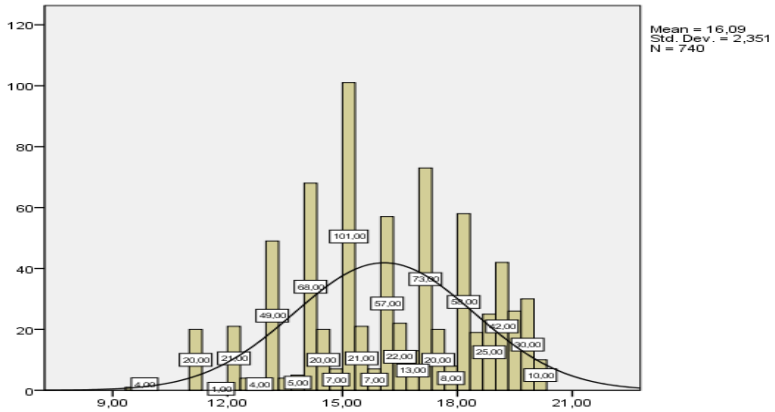


Chart 2 : Pupils' grade

Next, some demographic data will be presented, considering them as crucial factors of political socialization. Parents' profession was examined as well as their educational level. Mother's and father's educational status were examined separately. Table 5 presents the frequencies of each case:

Table 5 : Parents' professional position

	Father		Mother	
	Frequency	Percentage	Frequency	Percentage
Self-employed	187	19,5	129	13,4
Freelance	125	13,0	71	7,4
Employer (employs up to 5 persons)	67	7,0	50	5,2
Employer (employs more than 5 persons)	42	4,4	20	2,1
Civil servant (lower position)	15	1,6	36	3,8
Private employee (lower position)	40	4,2	59	6,1
Civil servant (medium position)	114	11,9	122	12,7
Private employee (medium position)	109	11,4	104	10,8
Private employee (senior position)	47	4,9	36	3,8
Civil servant (senior position)	54	5,6	29	3
Missing	160	16,7	304	31,7
Total	960	100,0	960	100,0

As the value missing is concerned, it refers to the cases where either father or mother does not work willingly or unwillingly. The percentage of unemployed mothers is 31.7% and of unemployed fathers is 16.7%. As their educational level is concerned, the majority of both parents are graduates of lyceum and a large percentage are holders of universities and technological educational institute degrees. The frequencies of educational level are presented in the following table 6:

Table 6 : Parents' educational level

	Father		Mother	
	Frequency	Percentage	Frequency	Percentage
Up to primary school certificate	112	13,2	40	4,7
Up to gymnasium certificate	133	15,7	137	16,2
Up to lyceum certificate	288	34,0	322	38,2
Technological Institute degree	196	23,2	174	20,6
University degree	91	10,8	132	15,6
Master's	13	1,5	24	2,8
PhD	13	1,5	15	1,8
Total	846	100,0	844	100,0
Missing	114		116	
Total	960		960	

In order to be examined the reliability of the sample chi-square goodness of fit tests were used. Cluster analysis showed a great level of correlations between the variables that were used. Moreover

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reliability index Cronbach's alpha is 0,744. The results in the following table show that the collected data follow the normal distribution and are adequate for the statistical analysis:

Table 7 : Goodness of fit tests

	Have you ever participated in a demonstration or a sit-in?	Do you provoke a teacher with whom you disagree?
Chi-Square	521,107[a]	501,671[b]
df	3	3
Asymp. Sig.	,000	,000

The index of unconventional political demonstration consists of two variables: the first is related with the participation of the pupils to demonstrations and sits-in of schools and the second with the provocation that a pupil can address to teachers in their everyday interaction. Frequencies that are presented in the following charts show that in general the majority of pupils in both cases are against the demonstration and the provocative behavior. This point of view contrasts the usual behavior that takes place every year in Greek schools, showing that youth political demonstration that is expressed with unconventional means is realized by minorities.

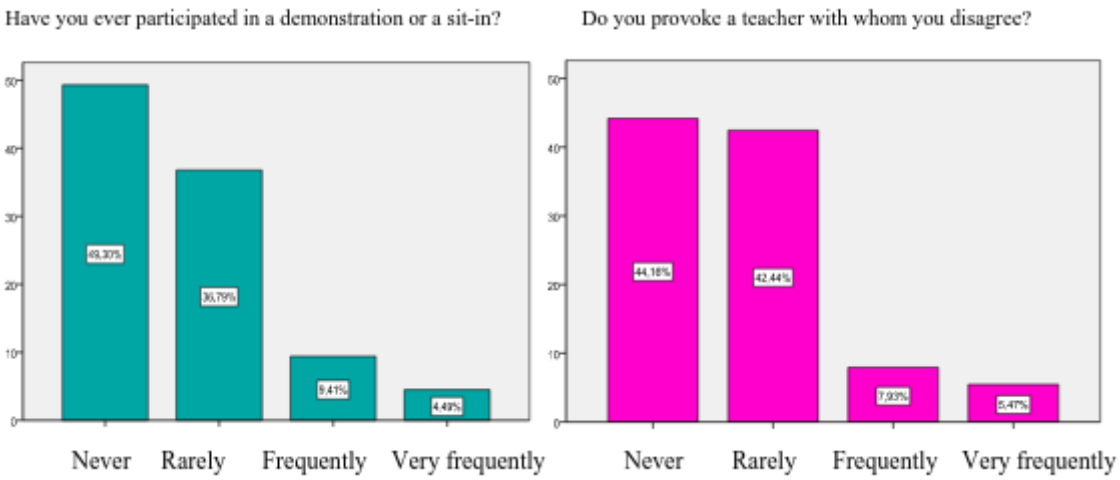


Chart 3 : Variables of youth political demonstration index

In a recent research it was found that girls participate equally in the sits-in but do not accept aggressive actions and the damages that happen during the sits-in and characterize frequently non-conventional political demonstration (Παπαδοπούλου, Τσαλίκης, Σταμοβλάσης, 2012). In this research chi square test was used (x^2) in order to ascertain the relation between sex and youth demonstration. Results show statistical significant differences in the tendency for protestations and pupils' sex [$\chi 2=27.367$, df=3, $p<0,000$]. The boys participate in sits-in in a greater percentage (14,4%) than the girls (11%). The differences in the other question that takes part in the index are greater showing that the girls participate less in provocative actions. The boys act in this way in 18.3% percentage whereas girls' corresponding percentage is only 7.6%. ($\chi 2=34.616$. df=3, $p<0,000$). The following charts show the results analytically:

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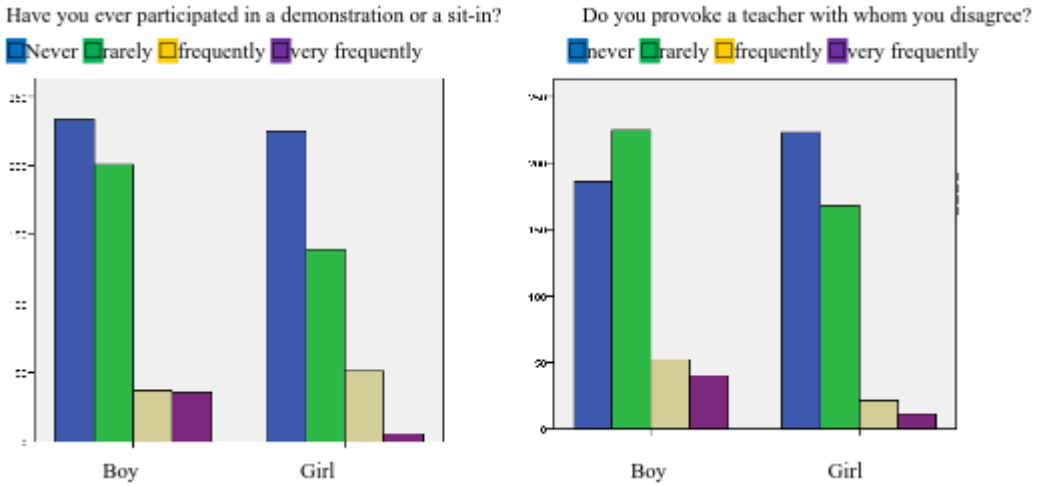


Chart 4 : Correlation between sex and youth political demonstration index.

This opinion is in accordance with the correlation between sex and pupils' point of view about their awareness about politics. Analysis showed that the 20.6% of boys in comparison with the 11.2% of girls believes that it is very informed in relation with issues about politics ($\chi 2=15.172$, df=2, p=0,001<a). Chart below shows the distributions:

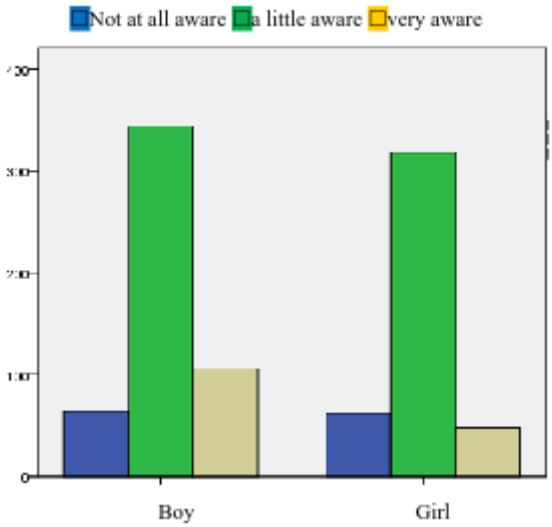


Chart 5 : Correlation between sex and politics awareness

Finally, one fact that confirms the view that girls are not interested in politics as boys is time dedicated to informational programs about politics. Statistical analysis showed that on average boys watch more political programs than girls (boys mean=1,34, sd=0, 728 versus girls mean=1,16, sd=0,548).

In this research it was examined the impact of the type of school on youth demonstration. As it was noted before three types of schools participated: gymnasium, Lyceum and vocational school. It was used chi square statistical test (x^2) which resulted that there is statistical significant difference between the type of school and levels of youth protestation ($\chi 2=57.439$, df=6, p=0,000<a). Pupils from vocational schools in a percentage of 10.4% are more provocative towards their teachers than the pupils from gymnasia (3.6%) and lyceums (3.7%). Also as their participation in sits-in and demonstrations is concerned, pupils from vocational schools participate less than the pupils of gymnasia and lyceums: 55. 1% of pupils from vocational schools have never participated in such political actions in comparison with 44.6% of pupils from gymnasia and 48.4% of pupils from general lyceums ($\chi 2=12.935$, df=6, p=0,004<a).

Aiming at the explanation of the behavior of vocational school pupils, the relation between pupils and informational programs about politics was examined. Statistical analysis with multiple comparison test using Bonferroni test, shows that pupils from vocational schools have incomplete awareness about

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politics in comparison with their colleagues from gymnasia and general lyceums (F=6.394, df=2, p=0,002<a). The following chart 6 presents the conclusion above:

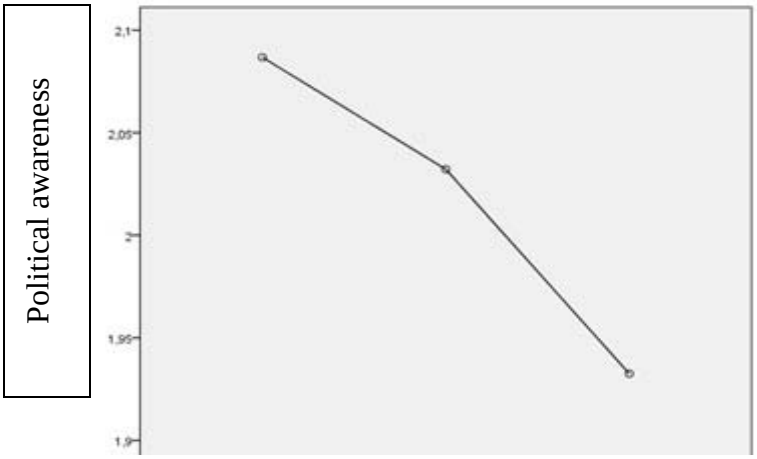


Chart 6 : Correlation between political awareness and type of school

Nevertheless ANOVA test in relation with watching of informational programs about politics and news show that pupils from vocational schools watch on average more TV in comparison with pupils from gymnasia and general lyceums (F=8.940, df=2, p=0,000<a). Test Tukey HSD resulted that pupils from vocational schools watch more TV with a mean difference of 7.205 (p<0.000).

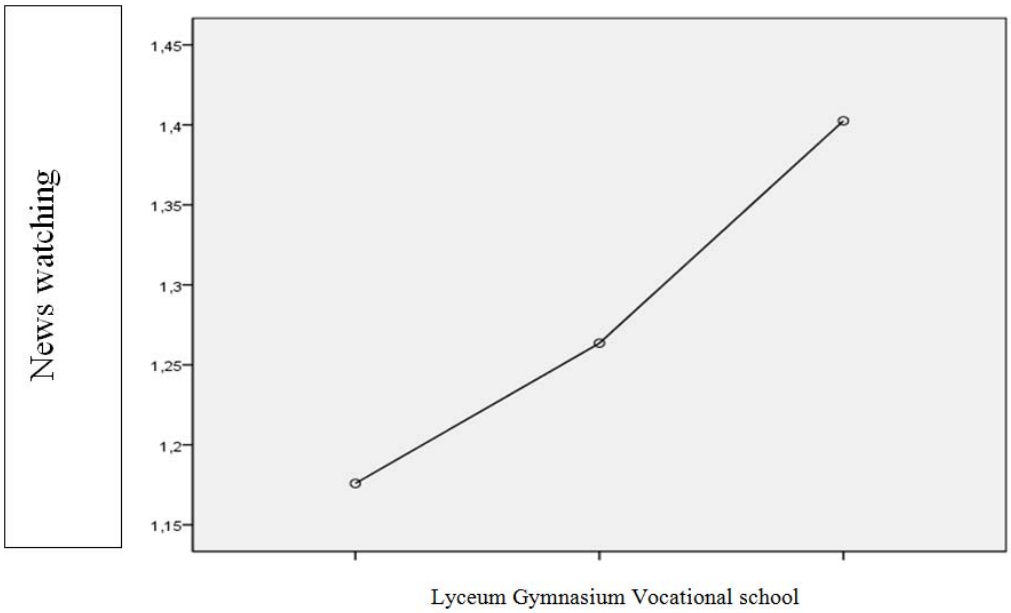


Chart 7 : Correlation of type of school and news watching

Finally, statistical analysis about the impact of performance grade on youth political demonstration showed that there is no correlation (pearson coefficient=-0.043). This fact shows that this tendency is not a characteristic of pupils with a poor performance.

V. Conclusion

This research aimed at examining pupils' political demonstration as a result of their political socialization process within schools. It was based on a questionnaire and a sample of 960 pupils from schools of central Macedonia.

One of the findings of this research is the fact that male pupils participate more than female pupils. It has to be noted that previous researches concluded that both sexes participate equally. Additionally female pupils are not interested in politics nor watch informational programs about politics on mass media. Moreover, regarding the type of school, pupils from vocational schools tend to provoke more their teachers in comparison with their colleagues from gymnasia and lyceums. It has to be noted that watching informational programs about politics on TV has an important impact on the tendency to protest either in the form of sits-in of

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schools or in the form of provocative behavior in classrooms.

The final conclusion of this research agrees with previous researches that claimed that sits-in take place because of pupils' minorities without the use of democratic procedures. In other cases and especially in issues that concern pupils' sex and type of school there is a disagreement due to the fact that differences were observed.

It is evident that sits-in and generally public school depreciation are not a social movement. This is because a social movement is characterized by collective discipline, organization ideological program and a majority basis. None of these features does not apply of course here. Sits-in are an "abstract negation" due to the fact that they undermine the foundations of the educational system without substituting it with a viable alternative solution. The rejection of the school institution acts in a corrosive and not in constructive way.

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China's Seat in United Nations, Kashmir Issue and the India-Pakistan War of 1965

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Abstract- On the one hand, the Sino-Indian border war, Sino- Soviet hostile relations and the US-China rivalry and on the other hand, Pak-India enmity, Pak-Soviet hostility and Pakistan's disillusionment with the US brought China and Pakistan closer to each other. China was in struggle to get membership in United Nations where the Western powers were blocking its way and Taiwan was allowed to be a Chinese nation representative. In 1960s, Pakistan abandoned its policy of following the West and voted for Communist China in the UN. China too refrained from its policy of neutrality regarding Indo-Pak issues and openly started to support Pakistan on Kashmir issue. Beijing supported Islamabad in its war with New Delhi. China condemned Indian aggression against Pakistan and appreciated the Kashmiri freedom fighters in their struggle from Indian illegal occupation. This paper covers discussion and analysis on China's seat in UN, Kashmir issue and Indo-Pak war of 1965.

Keywords: *pakistan, china, UN, kashmir, indo-pak war.*

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China's Seat in United Nations, Kashmir Issue and the India-Pakistan War of 1965

Dr. Manzoor Khan Afridi [α] & Dr. Abdul Zahoor Khan [σ]

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Keywords: pakistan, china, UN, kashmir, indo-pak war.

I. Introduction

The China's membership in the United Nations and Security Council was a hot issue for a long time, that, who was a sole legitimate authority to represent the Chinese nation in the world body until the PRC succeeded to replace the ROC on October 25, 1971. The representatives of the PRC first participated in the UN and United Nations Security Council (UNSC), as Chinese representatives on November 23, 1971. Pakistan's support for the People's Republic of China's membership in UN was a milestone in the development of friendly bilateral relations between China and Pakistan. Pakistan took a start to abandon its previous pro-West policy and support thereon, PRC in the United Nations. Pakistan's leaders reviewed its foreign policy for the purpose that alliance with the West was serving more Western interests than her own. The aim of Pakistan's joining military pacts was obviously to strengthen its position vis-à-vis India mainly on Kashmir issue and thus taking the pro-West stance against the China's membership in the UN. While the United States and other Western countries were helping India, accordingly, Pakistan's interests were not sincerely served.

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"To Pakistanis, Kashmir is not merely an issue of territory; it is a reminder of an "incomplete" Pakistan and is a restatement of all the massacres and injustices. Kashmir is economically and psychologically the jugular vein of Pakistan, which unlike any other nation, has faced the severest challenges to its very existence since its inception" (Malik, 1997). With the conclusion of the trade, air and boundary agreements, on 5 January, 29 August and 3 March 1963 respectively, Pakistan and China moved closer to each other. Parallel with the Pakistan's support for China's legal seat in UN, the Chinese started too, lobbying for Pakistan on Kashmir issue. Pakistan had long been demanding the peaceful solution of Kashmir dispute through the United Nations resolutions and considering the wishes of the local inhabitants of the area.

In September 1965, with the outbreak of full scale war between India and Pakistan, first in Kashmir and later spread to their international border, China came with all possible political help for Pakistan. Early in September, Chinese Foreign Minister Marshal Chen Yi reaffirmed complete Chinese sympathy and assistance for the Kashmiri freedom fighters that were in constant struggle to liberate Kashmir from the illegal control of India. He also condemned the Indian provocative action and supported Pakistan's strategy of hitting back for her self-defense (Survey of China Mainland Press, 1965).

II. Pakistan's Support for PRC's Seat in the UN

The world was divided on the Chinese representation in the UN. The capitalist countries were supporting US for blockade of the membership of PRC while the communist states were demanding her entry. At first, the United States initiated a policy of neutralism between the two, Chinese Communists and Chinese Nationalists. The Kuomintang asked US for her assistance and appointment of a political and economic adviser in Taiwan, but the United States turned down the Nationalists' demand. The US could not keep consistency in her neutrality about the two camps of Chinese nation. The start of Cold War and tilt of the PRC leaders towards the USSR created a crack between the Communist China and United States. Washington assessed that the Nationalists could better serve her interests due to the Taiwan's capitalist system and their already established diplomatic relations. The PRC-US relations further worsened when the Beijing criticized the

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presences of the US forces in Taiwan and its Seventh Fleet in the Straits of Taiwan. Beijing termed it an act of aggression and demanded the Security Council a complete and immediate withdrawal of the US forces from Taiwan.

On the other hand, the Soviet Union, the then close friend of Communist China campaigned for the membership of the mainland China into the UN and demanded an immediate expulsion of Taiwan. The Soviet Union went so far in its campaign for PRC that boycotted the Security Council and confirmed to not take part in UNSC activities until the Taiwanese delegation forced out.

Playing its role in the UN on the said issue, Pakistan gets started supporting the PRC's seat. Clearing its view, the representative of Pakistan in the UN, Sir Muhammad Zafrullah Khan argued in a debate that according to the Article 4 of the UN Charter, every new member could get admission and it was not about the representation issue. He stressed the point that China was not applying for her admission; instead she was already a member, a permanent member of the Security Council and one of the Big Fives. Mr. Khan continued his speech and stated that the Taiwanese delegation present here was unable to exercise its control over any part of the mainland China. The struggle between the Chiang Kai-shek's and Mao Zedong's forces had already come to an end with a clear victory of the Communists in mainland China. The Nationalists could no longer claim to be the sole legitimate representatives of the Chinese nation (Arif, 1984). However, his proposal was rejected by a majority vote.

Even after joining the security pacts of the US-led West, Pakistan maintained its independent stand on the issue of Chinese representation in the UN by supporting the PRC. Pakistan had cleared its position regarding the alliance in Bandung Conference to the PRC's Premier Zhou En-lai, that Pakistan had no fear of the Communist China. Again in 1955, Pakistan's Ambassador to China assured the participants at the Independence Day reception that his people, both in and outside the government, wished for the China's seat in the United Nations (Syed, 1974).

When the Pakistan's dependence increased on the United States in military and economic fields, Pakistan took a "U" turn in its policy about the China's seat in the UN. It was clear from the Pakistan's Prime Minister H.S. Suhrawardy statement, when he visited the US in July 1957 and praised the US and assured them his support. Later in the same year, Pakistan supported the West resolution regarding the blockade of the PRC's seat in the UN. By the signing of Pakistan's bilateral defense agreement with the US in the late fifties, the Pakistan's tone about China's seat was harsher. However, with the rapid changing regional security environment, Pakistan assessed its policy and gestured for a hand of friendship towards PRC. Pakistan also turned back to its previous position to the support of China's admission in the UN. A fundamental change came on 10 March 1960, when the Pakistan's President Ayub Khan declared at the Commonwealth session in London that the Commonwealth countries would support the Chinese seat in the United Nations. Again on 19 March 1960, he told to journalists that Pakistan would probably vote for the admission of PRC to the UN in the upcoming session. Later in November of the same year, a special meeting of the Pakistan cabinet approved the Ayub's decision (Arif, 1984).

Pakistan indeed took a radical step in its previous announced policy when in December 1961 at UN session; she overtly supported the PRC to be a sole and legitimate authority of Chinese people in the UN (Syed, 1974).

The then Pakistan's Foreign Minister, Z.A. Bhutto expressed his feelings: "It would be beneficial to all mankind if the People's Republic of China were to become a member of the World Organization. How is it possible for the United Nations to bring to bear the full weight of authority on any issue when the representatives of 650 million people are excluded from its deliberations and discipline (Bhutto, 1964)? Beijing duly appreciated this change in Pakistan's foreign policy. The Chinese Ministry of Foreign Affairs, while focusing on Sino-Pakistan relations, expressed its concern that Pakistan took a great change for the improvement of the bilateral relations by advocating the China's legal seat in United Nations. Zhou En-lai in the same month, while talking to a correspondent of the Associated Press of Pakistan appreciated the Pakistan's bold stance that the latter took for a rightful place in the United Nations and did not follow the US position of supporting the Nationalists. The Sino-Pakistan border agreement gave a new life of recently warm bilateral relations of China and Pakistan. On this occasion the Chinese official Chen Yi, stated that Pakistan, instead of the US pressure, voted for the legal seat of China in World Body. For this act of Pakistan, The Chinese Government and people were grateful to the Pakistani Government and people (Arif, 1984).

Pakistan had continued its policy of supporting China's seat in the UN. On the Premier Zhou En-lai's visit to Pakistan in February 1964, Ayub Khan re-stated Pakistan's position of support for China's rightful representation in the UN. He claimed that without the one-fourth population of the world, the UN would remain incomplete. He further stressed for the immediate membership of China in the United Nations (Arif, 1984).
Meanwhile, to solve the issue, some countries put forward an idea of dual representation of China in the UN, that both the Communists and Nationalists delegation should be given separate seats in UN. China rejected the idea on the basis that Taiwan had no separate identity but a part of mainland China. The issue

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further remained unsolved. Pakistan disapproved the idea of dual representation and fully supported the China's stance. The China's position was more strengthened at the nineteenth session of the UN General Assembly, when the Pakistan's representative clarified to the world community that the dual representation had no meaning for China. He stated that China's seat is not only important for the UN but also for the sake of peace. Doing so, the situation in Asia could be addressed and peace could be restored for the people of the disputes-led continent (Pakistan Horizon, 1965).

III. China's Support for Pakistan on Kashmir Issue

China had a neutral position on Kashmir. After signing the border agreement, Pakistan hoped for a change in Chinese policy over the said issue. It was due to the fact that Pakistan got recognition in the agreement from China over its northern areas attached with Sinkiang. Also China secured a large area in Ladakh region. Again measuring by the common enemy's concept, the Chinese support for Pakistan was imperative in the wake of the Soviet leaders' persistent support for India, since 1955. It was the first occasion when China displayed sympathy for Pakistan over Kashmir conflict. In the joint communiqué signed between the two countries, China appreciated the Pakistan's role of striving for the peaceful solution of the Kashmir problem. Beijing hoped that the as early as possible solution of the problem would be better for to flourish peace not only in Asia but also in the world (Arif, 1984). Mr. Zhou invited President Ayub to visit China in March 1965 which was reciprocated by Zhou En-lai in June 1965 for two days, with extensive meetings with Ayub and Bhutto in Rawalpindi.

The time for China was crucial to make a pro-Pakistan stance on Kashmir issue. It became a needed weapon in the period of mounting Sino-Soviet rift and going closer to each other by India and Soviet Union, resulting in defense cooperation. Beijing wanted to balance the situation with Pakistan when the two giants, Soviet and India were undermining the Chinese authority in Tibet and Xinjiang. The Chinese concerns were understandable when she severely criticized the Soviet assistance to India. The security-torn climate of China made it conducive to side openly with Pakistan. "This indulgence by China was aimed simply at (a) ensuring security of their problematic regions bordering Kashmir by befriending neighboring Muslim countries and (b) using Pakistan as its bulwark to tie down India in South Asia, thereby warding off any future threats to Tibet's peace and security".

Looking to the irreparable relationships with India, Soviet Union and United States, China formulated a long term policy by aligning with Pakistan. Although the US-Pakistan relations were not as cordial as were in 1950s, but still they were bound to their alliance. Also, Pakistan had signaled for normal relations with the Soviet Union by pursuing almost an independent and balanced foreign policy. The Soviet Union hinted for a shift in her policy on Kashmir, which was totally unqualified before, for support to India. It was evident from the Indian President Radhakrishman's September 1964 visit to Moscow, where they issued a joint communiqué but without a word about Kashmir issue, unlike the previous episodes of high ranking figures. Later, during the Indian Prime Minister Shastri's visit to USSR, in the spring of 1965, Kosygin avoided any reference to Kashmir (Simon, 1967). The Soviet Union attempted to accelerate the already despair in Pakistan about the American attitude, slow down the Sino-Pakistan entente and make a common front of India and Pakistan in South Asia. Considering all strategies, the Soviet refrained from the resolution on Kashmir in the United Nations Security Council to veto it in September 1965. The previous position of the Soviet Union was that of the India that Kashmir was an integral part of India, when the US and the UK were on the Pakistan side (Ibid.). Before the United States, Soviet Union or any other power take an initiative for the solution of Kashmir, at least from a neutral side, China grasped the situation to win Pakistan's sympathies. The drop scene of Beijing's position on Kashmir happened at the Pakistan's invitation of Zhou En-lai's visit to Karachi in February 1964, when he publicly sided with Pakistan on the concerned issue. After meeting, at the end of the visit, China and Pakistan issued a joint communiqué with the hope that Kashmir issue would be resolved in accordance with the wishes of the Kashmiri people as pledged to them by India and Pakistan (Arif, 1984). Pakistani nation was jubilant over Chinese Premier's remarks. Everywhere Zhou and Chen went, Pakistani public greeted them as heroes. The press in Pakistan had promptly reacted in the appreciation of China that no Head of Government had ever realized the recognition of the Kashmiri people's right of self-determinations as China had done.

The Chinese interest of making enduring friendship with Pakistan was reflecting from this joint communiqué, where a severe blow was present against the Indian stand on Kashmir. New Delhi had of the opinion before that the neutral position of Beijing meant Indian right of authority in Kashmir. Beijing Regime was also successful in her policy, of what was expected of the doubts in their mind, when the spokesman of the US State Department blended the Pakistan's invitation to the Chinese Premier Zhou En-lai and Foreign Minister Chen Yi as unfortunate event. On the eve of the Chinese Premier's visit, the Soviet Ambassador in Pakistan revealed the information that the United States and the Soviet Union were looking forward to resolve the Kashmir dispute (The Times, 1964). The US and the

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USSR were in a struggle to bring Pakistan and India near to each other for the purpose to keep out China from the issue. The United States, even during the Sino-Pakistan border talks, angered over the possibility of Chinese role and backing of Pakistan on Kashmir conflict. "In the matter of negotiations which Pakistan was then having with China about their common border, in February 1963 America warned Pakistan that the proposed border agreement with China might endanger Pakistan's negotiations with India on Kashmir" (Sherwani, 1980).

On the one hand Pakistan attempted to bring China in the full circle of the region's politics and gain her support on the debated issue, when the US placed blame on Pakistan for the failure of Kashmir talks with India and their own relations. On the other hand, China was ready for support to tone down the superpowers' monopoly on the issue and avoid losing Pakistan's role in its Afro-Asian politics, which she, since the Bandung Conference, had zealously trying to organize under its leadership. Latif has commented: "Incredible though it seems, America placed the blame for the estrangement on Pakistan, particularly on her growing relations with China. It is true that America's burgeoning support to India had led Pakistan to seek friendly relations with China (as well as the Soviet Union) but there was nothing sinister about this relationship. In fact, all the developments in Sino-Pakistan relations during 1962-63 resulted from events over which Pakistan had hardly by control" (Ibid., pp. 117-118). Despite the common alliance, at any cost, the US was not ready to see an upward move in Sino-Pakistan relations. "Whatever might have been of the thinking of Americans about the relations of their own country with China, the United States Government was then not prepared to reconcile to Pakistan's friendly relations with China. Consequently, Pakistan's improved relations with China very adversely affected Pakistan-American relations" (Ibid., p. 133).

IV. China's Role in the Indo-Pakistan War of 1965

A further test for Sino-Pakistan relations was the Indo-Pakistan war, initially in the Rann of Kutch area in April and later, on the entire western border in September 1965. Pakistan was in a grave situation when aggressor India attacked on Pakistan's sovereignty and hampered her security. Like the recent exemplary concluded agreements between China and Pakistan, this tough time on the latter also tested the Chinese commitments. Ayub Khan had addressed "a mass rally of 10,000 people in Peking", during his visit to China from 2-9 March, 1965, long before the breaking out of war with India that Pakistan's friendship with China was long-lasting and not a product of decision in hurry, which proved true later with the Chinese assistance for the former. Accompanied by the Foreign Minister Bhutto, Ayub Khan signed a joined communiqué with China, longer and agreed on more points than the previous year's communiqué (Pringsheim, 1965). In the joint communiqué, Ayub Khan supported China's stand on PRC's seat in UN and condemned the attempts for the creation of two Chinas. Zhou En-lai reaffirmed that Kashmir problem was unresolved which had posed a serious threat to the region's peace and security.

Already mentioned statement of Bhutto in the National Assembly about the involvement of the largest state of Asia, if Pakistan had to attacked by another state and the same claim by Chinese Vice-Minister for Foreign Trade, Nan Hanchen (The Times, 1963), changed into a reality by China's help of Pakistan in the latter's war with India. Again, during the Zhou's visit of Pakistan in February 1964, Chen Yi thanked Pakistan's support during the Sino-Indian war and pointed that if attacked, China would be on Pakistan's side.

Early in April Zhou En-lai paid a one-day visit to Rawalpindi. Since this visit was during the Ayub Khan's state visit to the Soviet Union, it was crucial in this regard that the Chinese Premier might give advice and suggestions about the Pakistan's ties with the USSR. On 2 June, Zhou En-lai came to Rawalpindi again. In the meantime, the Chinese leader stated that "in recent years, friendship between our two peoples has undergone a remarkable development and the cooperation between our two countries has been exceedingly fruitful" (Survey of China Mainland Press, 1965). Later in the month, Ayub Khan and Zhou En-lai met in Cairo in connection with the projected second Afro-Asian Conference. Their entente was evident from the official visits of the leaders to each other's countries with great pomp and show.

In August 1965 when the Indo-Pakistan skirmishes held in Kashmir, on 27 August China sent a note of condemnation to India. China claimed that India had destroyed the peace along the China-Sikkim border by violating the border on 22, 23 and 24 July 1965. The note also said: "The Chinese Government must warn India that if it does not immediately stop such acts of aggression and provocation it must bear full responsibility for the consequences that may arise therefrom" (Beijing Review, 1965).

India had already arrested a Kashmiri leader Sheikh Muhammad Abdullah for having met with Zhou En-lai in Algiers. China reacted in a more angry way and stated that India was an aggressor which played the game with the support of United States and the Soviet Union. China was confirmed that Indian ambition was to dominate the region, as she had not resolved border issue peacefully and clashed with China. It means that China and Pakistan were striving to balance the power game created by India and the superpowers. On 7 September the Beijing Government issued a statement saying: "The Indian Government probably believes that since it has the backing of the U.S. imperialists and the

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modern revisionists it can bully its neighbours, defy public opinion and do whatever it likes. This will not do. Aggression is aggression. India's aggression against anyone of its neighbours concerns all of its neighbours. Since the Indian Government has taken the first step in committing aggression against Pakistan, it can not evade responsibility from the chain of consequences arising there from. The Chinese Government sternly condemns India for its criminal aggression (and) expresses firm support for Pakistan" (Peking Review, 1965).

On 9 September, Zhou En-lai further declared that the Indian aggression against Pakistan qualified its reactionary behavior. India had been claimed a non-aligned country, but how could a peaceful and neutral country attack its neighbours like Pakistan (Peking Review, 1965). With repeated reference to neighbour, China believed that India also had ill-wishes for China; because, with the explosion of nuclear weapon in 1964, the latter had gained a considerable prestige and India was trying for possession of same nuclear device for her own influence. "This area is what might be called 'rim-land' defence" (Edwardes, 1967). By attack on Pakistan, India stepped for her long-hoped dominance in the region. Chinese concerns were seeable in the time of her enmity over unresolved border and other issues with India.

The Chinese press harshly condemned the Indian war crimes against Pakistan. India had started propaganda that Pakistan was the country who first crossed the border, started war and infiltrated into the Kashmir territory. China dismissed these allegations against Pakistan and fired back on India. On 11 September, Rinmin Ribao wrote in an editorial that "it was not Pakistan but India that first crossed the ceasefire line in Kashmir and launched military provocations and undertook armed occupation. It was not Pakistan but India that first threw its air force into action and bombed peaceful cities of the other side. It was not Pakistan but India that first crossed the international border into the territory of the other side and launched massive armed attacks. So India is in every sense the aggressor and Pakistan its victim" (Peking Review, 1965). With the horrible consequences of the war Ayub Khan appealed to the US and China to stop it. The United States was unable to warn India of its aggression against Pakistan but China issued the following ultimatum to India. On 17 September, Chinese Foreign Ministry asked India for dismantling all military activities on the Chinese side of the China-Sikkim border within three days, otherwise, Indian Government would be held responsible for all grave consequences. China again stated about the aggressive launching of war against Pakistan and warned that as long as India continued her aggression against Pakistan, China would continue her assistance and support to "Pakistan in her just struggle against aggression" (Ibid., p. 9). On 19 September, China sent another note to India and extended its previous ultimatum to the midnight of 22 September (Singh, 1987). There were also some reports about the China's order for her troops to move and be alert along the Sino-Indian border.

By giving warning to India, China wanted to save a weak Pakistan as compare to India, pressurize superpowers and United Nations to stop war. Consequently the war ended by a passed resolution of the Security Council on 20 September which called for a ceasefire to begin on 22 September and for withdrawal of all troops to the lines held on August 5. It was a strategy to halt any assistance of superpowers to India and their try to manipulate the situation. Although, China did not involve itself physically in the Indo-Pakistan war but the warning played a great role to bring an end. Gurnam Singh has calculated the situation as, a "calculation which possible prevented China from encouraging Pakistan to go to war with India, was the Chinese perception that in between Pakistan and India, the former had extremely limited capacity to fight a prolonged war. India's geographic mass, defence capability and industrial base was far superior to that of Pakistan's, to fight a prolonged war, latter's geographic compulsions and vulnerability on the East Pakistan border notwithstanding. Pakistan's economic and military dependence on the US, after even a limited war, would have immensely increased thereby providing the latter greater opportunities for penetration in Pakistan, distinctly to the disadvantage of China" (Ibid., p. 173).

The Chinese ultimatum came at a time when Indian Prime Minister Shastri threatened Pakistan that India would open the East Pakistan border. The East Pakistan was more vulnerable and was in close proximity with China. The Indian occupation of East Pakistan would definitely bring the Indian hegemony in South Asia and also cause complexities for China, because of the Indian conspiracies in Tibet (Ibid., p. 179).

The ultimatum was helpful in the context that the United States had already cut its supply of military aid to India and Pakistan, where the latter had suffered more than India. "Perhaps, Chinese hyperbolic support to Pakistan and ultimata to India were motivated by such thinking because a weak and demoralised Pakistan, after the war, would be more vulnerable to the US pressures than a strong and stable Pakistan" (Ibid., p. 182).

China emerged as a close friend of Pakistan. Pakistani nation praised for China's taking side with the former. "As far as Public opinion was concerned, China's actions were received enthusiastically. Students held a parade in Karachi with banners bearing the portraits of Zhou Enlai and Chen Yi and called on the Chinese ambassador to thank him. Different strata of the Pakistani public sent Zhou telegrams of gratitude, and

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poets and authors were fulsome in their praise" (Vertzberger, 1983).

China did not want for superpowers to have a strong foothold in South Asia. The United States and the Soviet Union positions regarding India were against to those of China and Pakistan. By taking a pro-Pakistan stance on Kashmir issue, China successfully made thinking superpowers for balanced role on the issue in future. The Indo-Pakistan war provided a supportive case for Beijing's anti-double policy, that of against both of superpowers. In the context of Afro-Asian diplomacy, Beijing fulfilled its promise of supporting the weak and condemning the aggressive state. On the other hand, despite of the status of a trusted ally, United States didn't come for assistance to Pakistan regarding Kashmir. The embargo on supply of military aid and hardware in Indo-Pakistan war further created deadlock in the US-Pakistan relations. Pakistan realized that its pro-West policy could not bring a stable security, at least for the region, as the anti-West bloc had consistent suspicions.

V. Conclusion

The ongoing Sino-Indian deteriorating relations and China's unanimous support for the new-established states of the Third World awakened Pakistan, who was looking towards Western nations to solve her core issue of Kashmir. With the admission of PRC to the UN General Assembly and Security Council, Pakistan hoped to gain support on Kashmir from Chinese side, because the Soviet Union was a hurdle in the UN who was overtly supporting India by exercising her veto power. Later, Pakistan's dream changed into reality, when PRC brought a radical change in her policy from neutrality to Pakistan's support on Kashmir. The tit for tat policy of China and Pakistan helped them to unite together, in the balance of power existed in subcontinent. China supported Pakistan in 1965 war to make a counterweight to India. The boundary agreement resulted in upward swing of Sino-Pakistan relations which facilitated for China to support Pakistan's views on Kashmir, Pakistan; to support China's seat in the UN and One China policy. The Indian aggression was a signal for its hegemony to China in the region. It was also Chinese calculations to show that India was a reactionary state to undermine the securities of its neighbors, as was evident from the Sino-Indian border war. The Indian hegemony was not only a threatening factor for small countries of the region but also for China. It was in Chinese thinking that in the absence of a counterbalance and a strong Pakistan, India would emerge as a giant.

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Politics behind the Passage of Fourteenth Amendment to Bangladesh Constitution: A Politico Legal Analysis

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Abstract- BNP led four-party alliance came into power with a landslide victory in October, 2001 parliamentary polls. This four-party alliance government became unpopular within a short period owing to her misdeeds, corruption, terrorism and Islamic fundamentalism etc. Under such condition government as of her electoral pledge brought changes in the constitution but sudden insertion of a clause regarding increase of retiring age of judges maligned her willingness regarding holding free and fair election. This change opened the path for opposition for creating strong movement against the government which led to the formation of 1/11 government in Bangladesh. This paper is intended to portray the socio-economic and political atmosphere which encouraged the government to make such amendment and at the same time which action of the government stimulated the opposition to create suffocating environment that paved the way for military takeover in January, 2007.

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Politics behind the Passage of Fourteenth Amendment to Bangladesh Constitution: A Politico Legal Analysis

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Abstract- BNP led four-party alliance came into power with a landslide victory in October, 2001 parliamentary polls. This four-party alliance government became unpopular within a short period owing to her misdeeds, corruption, terrorism and Islamic fundamentalism etc. Under such condition government as of her electoral pledge brought changes in the constitution but sudden insertion of a clause regarding increase of retiring age of judges maligned her willingness regarding holding free and fair election. This change opened the path for opposition for creating strong movement against the government which led to the formation of 1/11 government in Bangladesh. This paper is intended to portray the socio-economic and political atmosphere which encouraged the government to make such amendment and at the same time which action of the government stimulated the opposition to create suffocating environment that paved the way for military takeover in January, 2007.

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I. Introduction

Inbuilt character of power is to stay in power and apply all sorts of mechanism to prolong power. In democracy fate of the government lies with the people i.e., fate is determined in periodically held election in which people express their decision in free, fair and peaceful atmosphere. In Bangladesh the land of hotchpotch democracy governments-civilian and military, are seen to employ different tactics to avoid reflection of just opinion of the people in free and fair election. Bangladesh Nationalist Party led four-party alliance government came into power with an overwhelming majority in a free, fair, neutral and nationally and internationally recognized election held under the auspices of caretaker government headed by Justice Latifur Rahman in 2001. Within a short span of time government lost support and started manipulating the next parliamentary polls scheduled in December 2006- January, 2007 in her favour. Under such environment government brought constitutional fourteenth amendment bill in the house with object of materializing the demand of women groups with respect women reserve seat and some trifling issues unconnected with general importance. Immediately before the passage of the bill government inserted couple of new clauses in the said bill one of which, it is said, was inserted just to give constitutional sanction of government's on going election manipulation plan. However, government had justification for such incorporation. But opposition and the people were unhappy with the plea. This article is intended to portray the socio-economic and political environment prevalent before and at the time of making amendment, and at the same time to unearth the moto of sudden inclusion a controversial clause in the said amendment.

II. Fourteenth Amendment

Under thirteenth amendment non-party caretaker government was formed to hold seventh *Jatiya Sangsad* polls. In the election AL won and formed government. During AL reign from June 13, 1996 to July 13, 2001 no amendment was brought in the constitution. But by legislative interpretation change was made in paragraph 3A of fourth schedule of the constitution and the Indemnity (Repeal) Act, 1996 was passed for the trial of the leaders of August coup 1975. In October 1, 2001 eighth parliamentary election BNP led four-party alliance won and formed government with Khaleda Zia as Prime Minister. This government brought fourteenth amendment to the constitution to consolidate its power.

a) Law and order

Immediately after victory in October 1, 2001 polls, new breed of terrorists under the banner of JCD in Dhaka University, Rajshasi University, Chittagong University and other educational institutions and their adjacent areas became so desparate for cash money and revenge attack that law and order started deteriorating in lieu of improving it. Not only that different groups of the ruling party engaged in scuffling over due and undue privileges in these institutions.[1] Home Minister Altaf Hossain on October 14, 2001 asked the law enforcing agencies to act against trouble makers and criminals without fear and favour.[2]

On December 5, 2001 alarming news published in daily newspapers spoke that some illegal armed cadres took control of garment factories and dairy firms

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[1] *The Bangladesh Observer*, October 14, 2001
[2] *Ibid*, October 15, 2001

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in Narayanganj evicting the owners. It was claimed that these terrorists belonged to BNP. While such incident occurred, PM asked the police to ensure security in markets, terminals and highways.[3] Watching the inconsistency between government's speech and reality regarding punishment of wrong-doers common people started taking law into their own hands for relieving their own grievances against the law enforcing agencies. As a result 21 miscreants (snatchers or mastans) were killed by mob in brought daylight in the presence of police within a period of one week starting from December 4 to 10, 2001.[4]

Terrorist activities had been carrying on in full swing inspite of change of government. Only difference lied with the fact that during AL rule Awami cadres directed the robbery, snatching, trespass, treat and other terrorist deeds now BNP cadres did the same thing. With the arrest of Nasiruddin Ahmed Pintu, BNP law maker for terrorism on December 26, 2001 it became clear that top level BNP leadership had connection with terrorism.[5] Law and order situation became so poor that only during Eid holidays in December 2001, 34 persons were killed.[6]

Observing the lawlessness atmosphere in the country visiting Secretary General of Amnesty International Irene Khan expressed her deep concern over massive human rights violation in Bangladesh.[7] She was exchanging views with Home Minister Altaf Hossain. In another meeting with Attorney General she sought cooperation from top law office in checking such human rights violation.[8] The US State Department criticized government for failure in improving law and order, human rights violation and poor economic reform.[9]

The government in lieu of accepting its futility blamed opposition for deteriorating law and order in the country. In order to make the allegation real AL Chairperson's APS was arrested on February 28, 2002 and was given 10-day remand on charge of patronizing and harbouring terrorists.[10] AL leader Mohammad Nasim was also arrested on sedition charge and put into jail on March 20, 2002.[11] But government's blame game foiled when AL Chairperson Sheikh Hasina's car was attacked and damaged by terrorist attack on her way to Naogaon on March 4, 2002.[12]

Being frustrated of falling law and order on June 22, 2002 Finance Minister Saifur Rahman said that protracted miserable law and order was hindering economic uplift and poverty alleviation programme of the government.[13] On June 23, 2003 State Minister for Home Affairs Mr. Lutfuzzaman Babar filed a general diary with Ramna Thana seeking police protection for his life.[14] On July 3, 2002 Canadian High Commissioner David Preston and British High Commissioner David Carter urged the government to improve law and order, ensure security and make parliament effective for economic interest and image of Bangladesh.[15]

All of a sudden according to the information of two captive illegal armed dealers on August 12, 2002 police arrested Mofazzal Hossain Chowdhury Maya, Obidul Kader, Kamal Ahmed Majumder, Shafi Ahmed, Ashim Kumar Ukil on charge of sophisticate illegal fire arms deal.[16] All these persons belonged to AL. Perhaps for this reason common people accused AL of state terrorism it was argued.

Watching the failure of her government in maintaining law and order PM Khaleda Zia on April 3, 2002 told the House that Army would be brought in to gear up operation for recovering illegal arms and improving law and order situation.[17] In the meeting of International Development Partners at Bangladesh Development Forum in Dhaka on May 17-18, 2003 which was held for providing aid to Bangladesh for 2003-2004 financial years, the donors expressed their concern over the poor state of governance and law and order situation in the country.[18]

b) Corruption

While corruption charges were being lodged against the members of former AL regime Danish Under Secretary Peter Hansen brought corruption allegation of demanding bribe against Port and Shipping Corporation Minister Col (Retd) Akbar Hossain.[19] Transparancy International Bangladesh ranked Bangladesh top in corruption second time on August 28, 2002.[20]

Referring to the corruption title of Bangladesh World Bank Country Director Fedrich T Temple told a News Network workshop in Dhaka on January 12, 2003 that an independent Anti-Corruption Commission was a must for dealing with institutional corruption. An exceptionally high level of pervasive and endemic corruption ate up national wealth and frustrated Bangladesh venture for sustained economic growth to help people out of poverty. Speakers of the seminar all agreed that corruption existed in high level government officials.[21]

[3] *Ibid*, December 6, 2001
[4] *Ibid*, December 11, 2001
[5] *Ibid*, December 27, 2001
[6] *Ibid*, December 20, 2001
[7] *Ibid*, December 31, 2001
[8] *Ibid*
[9] *The Daily Star*, March 6, 2002
[10] *Ibid*, March 1, 2002
[11] *Ibid*, March 21, 2002
[12] *Ibid*, March 5, 2002
[13] *Ibid*, June 23, 2002
[14] *The New Nation*, June 24, 2002
[15] *Ibid*, July 4, 2002
[16] *Ibid*, August 13, 2002
[17] See the parliamentary debate of April 3, 2002 published in *the Bangladesh Observer* on April 4, 2002
[18] *Ibid*, May 19, 2003
[19] *Ibid*, April 29, 2002
[20] See the TIB report published in *the Bangladesh Observer* on August 29, 2002
[21] *Ibid*, January 13, 2003

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Not only that inefficiency and corruption in administration got evolving with dominant force. On May 18, 2003 World Bank Country Representative Fedrick T Temple recognized poor performance in governance-particularly in public utility sector as the main hurdle on the way of achieving development.[22] World Bank Vice President of South Asia Region Mieko Nishimizu told the journalists that corruption issue was discussed openly in the meeting of International Development Partners at Bangladesh Development Forum in Dhaka. She observed that she would not be happy until corruption was addressed properly.[23] In the meantime on May 29, 2003 Amnesty International published its 2003 human rights report. The report revealed that human rights violation had increased very sharply in Bangladesh.[24]

Corruption was so deep rooted in government that Mahmudul Islam, a smuggler, on August 8, 2003 threatened customs officials not to seize nor arrest them with their smuggled goods.[25] Government did not say anything nor take any step against the smugglers. On August 30, 2003 Dr. Moinul Islam, a leading economist, in a meeting held at Chittagong said that 102 lawmakers of the eighth parliament had link with smuggling. Political parties were responsible for criminalization of politics. The smugglers and criminals jeopardized law and order situation. They hindered good governance. The meeting was attended by Commerce Minister Amir Khasru Mahmud Chowdhuary, Major General (Retd) Syed Mohammad Ibrahim, former GOC of Chittagong MajorGeneral (Retd) Azizur Rahman, former Additional IGP Nurul Alam, Anis Alamgir, President Chittagong Journalist Forum-Dhaka, and others.[26]

c) Appointment of Judges of the High Court

In order to ensure reelection of four-party alliance partisan caretaker government was a must. They expected a Chief Adviser who would act for BNP like Chief Justice Habibur Rahman who helped AL victory in seventh parliamentary election. And to have a partisan Chief Adviser Justices of the Supreme Court must have to be loyal to BNP. In order to materialize these dream BNP government appointed 9 Additional Judges in the High Court Division on May 28, 2002. Another 10 Additional Judges on April 27, 2003. But it did not confirm 6 Additional Judges appointed during AL government. On June 22, 2003 government appointed Justice K.M. Hasan as Chief Justice of the Supreme Court. He was selected superseding senior most Judge of the Appellate Division. He took oath as Chief Justice on June 23, 2003.[27] This appointment antagonized opposition lawyers further. Barrister Rokanuddin Mahmud, President of Supreme Court Bar Association, denounced this appointment. He termed the appointment of K.M. Hasan as violation of long standing tradition and convention.[28] The executive committee of the Supreme Court in a resolution said the appointment of Justice K.M. Hasan was unprecedented in the annals of Bangladesh Judiciary.[29] Former Law Minister Abdul Matin Khashru said, "the appointment of K.M.Hasan as Chief Justice is purely politically motivated. BNP wants the next caretaker government to be headed by its chosen man."[30] Referring the news published in different newspapers that Justice K.M. Hasan was an adviser of BNP government in foreign affairs during the reign of late President Ziaur Rahman in 1977-1978, Barrister Rokanuddin Mahmud, President of Supreme Court Bar Association, said this appointment was made to fulfill a particular political party's desire which Bar Council did not believe.[31] Before chilling this issue government appointed Justice M.M. Ruhul Amin to the Appellate Division on July 13, 2003 superseding Justice Syed Amirul Islam, senior most Judge of the High Court Division.[32] Again on January 6, 2004 Justice M.A. Aziz was appointed as Appellate Division Justice superseding Mr. Syed Amirul Islam senior most judge of the High Court Division.[33]

In the meantime government said that it might increase the retirement age of the Chief Justice to 67 from 65. Accordingly government sources revealed that former Chief Justice not mentioning the name had made a recommendation to the Prime Minister Khaleda Zia for the extension of retirement age of the judges of the Supreme Court by amending the constitution.[34] Here it is worthy to mention that Chief Justice K.M. Hasan was going to end his job on January 27, 2004.[35] On January 11, 2004 Finance Minister Saifur Rahman while exchanging views with reporters after Cabinet meeting said government might raise the retirement age of the public servants to avoid shortage of experienced officials.[36]

On the other hand perhaps as a part of long term conspiracy, government appointed Justice Syed J.R Mudassir as Chief Justice of the Supreme Court on January 26, 2004.[37] He was picked up knocking down two senior Justices of the Appellate Division.[38] With regard to this appointment Supreme Court Bar Association President Barrister Rokanuddin Mahmud

[22] *Ibid*, May 19, 2003
[23] *Ibid*
[24] *Ibid*, May 30, 2003
[25] *Ibid*, August 9, 2003
[26] *The Bangladesh Observe,* August 31, 2003
[27] *Ibid*, June 24, 2003
[28] *Ibid*, June 23, 2003.
[29] *Ibid*
[30] *Ibid*
[31] *Ibid*, June 24, 2003
[32] *Ibid*, July 14, 2003
[33] *Ibid*, January 7, 2004
[34] *Ibid*, January 8, 2004
[35] *Ibid* , January 7, 2004
[36] *Ibid*, January 12, 2004
[37] *Ibid*, January 27, 2004
[38] *Ibid*, January 28, 2004

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said, "The Supreme Court has been turned into a political chessboard which government wants to use at will."[39]

With regard to the extension of the retiring age of the judges of the Supreme Court, Law Minister Moudud Ahmed said three out of seven judges of the Appellate Division would go on retirement by 2005, while another one would be retired by 2007. That means four out of seven judges of the Appellate Division would go into retirement within a period of three and a half years. In High Court Division another 21 judges would retire by 2005 and 2006. He said so many retirements would create vacuum in the court. In order to save the highest judiciary from this vacuum and to keep the ongoing trial tempo there was no alternative but to increase the age of the judges.[40]

d) Election Commission and Government

Conflict started to reveal between government and EC over the declaration of election schedule of Union Parishad polls. EC announced that UP polls would be held from January 4 to February 27, 2003. Government insisted on deferring the polls. On November 24, 2002 CEC M.A Sayeed strongly criticised government decision. However in order to minimize difference EC shifted UP polls schedule to January 25, 2002.[41]

Difference between government and CEC became deep when CEC M.A. Sayeed on January 1, 2003 announced that during UP polls army would be deployed to arrest law and order for making polls free and fair.[42] But on January 8, 2003 Mr. Harish Chowdhury Political Secretary to PM Khaleda Zia said, "Non-deployment of army for policing forthcoming UP election does not mean violation of the constitution."[43] On January 9, 2003 Communication Minister Barrister Nazmul Huda denounced army involvement in UP election. He rebutted contention of the CEC that government would violate constitution if it does not permit army deployment for policing UP polls.[44] On January 11, 2003 CEC M.A. Sayeed said EC would send letter demanding army deployment in UP polls to the government. He said government should give priority to the opinion of the EC for holding election free and fair and it is constitutional.[45] Defying EC demand UP polls began from January 25, 2003 in wide spread rigging and violence. But on February 4, 2003 Home Secretary Omar Farooq in a press briefing said UP elections were being held in a free, fair and neutral manner in comparatively congenial and non-violent atmosphere.[46] On the other hand refuting the government's claim CEC M.A. Sayeed on March 10, 2003 said UP polls was marked with wide spread rigging and violence which claimed more than 50 lives and injured several thousand. While the newspapers published news of wide spread rigging and violence in UP polls EC press release expressed that vote was held free and fair in peaceful atmosphere without the knowledge of CEC. CEC M.A Sayeed again remarked that some Election Commission officials were playing in the hands of government.[47] On March 16, 2003 UP polls ended with the dissatisfaction of the CEC M.A. Sayeed.[48] However in Barisal and Sylhet City Corporation polls government deployed army at the request of EC.[49]

In Netrokona-3 by-election on August 22, 2003 BNP candidate became victorious. CEC M.A. Sayeed expressed his satisfaction on the process of polls. EC said 63 % vote were cast in the polls.[50] On the other hand Odhikar, Association of Human Rights Activist said not more than 50% vote were cast. AL President on August 23, 2003 accused BNP of vote rigging. BNP Secretary General Abdul Mannan Bhuiyan said election was free and fair.[51]

Due to the presence of CEC M.A. Sayeed government had to face criticism and fall in awkward situation. Opposition appreciated CEC M.A. Sayeed's role for holding free and fair polls. Government expected his removal. With a view to accomplish that object government started to play dirty game with the CEC. Though trial started from early 2003, on the question of deployment of army in UP polls, its climax reached with the declaration of schedule for by-election to Munshigang and Dhaka-10. It was said BNP MP Major (Retd) M.A. Mannan and Mahi B. Chowdhury resigned from parliament on March 10, 2004 and formed Bikalpa Dhara new political party with A.Q. M Badruddoza as president. Consequently EC had to arrange by-election to those seats. At first new party was denied of their desired party symbol for election by the EC for unknown reason. Later on at the interference of High Court they were given their party as well as polls symbol "*Kula*". Government said they had nothing to do with the business of the EC. Of the two by-polls Dhaka - 10 by-polls was very significant for the government. Government had a chance to measure its popularity through these by-polls after spending two and a half years in office. Mahi B Chowdhury won the Munshiganj by-polls easily. But government did not want to lose Dhaka-10 seat. BNP nominated Alhaj Mosaddek Ali Falu, a known terrorist at his early age, as their

[39] *Ibid*
[40] *The Bangladesh Observer*, April 21, 2004. See the parliamentary proceedings of April 20, 2004. See the Cabinet resolution of April 20, 2004.
[41] *The Bangladesh Observer*, December 1, 2002.
[42] *Ibid*, January 2, 2003.
[43] *Ibid*, January 9, 2003
[44] *Ibid*, January 10, 2003
[45] *Ibid*, January 12, 2003
[46] *Ibid*, February 5, 2003
[47] *Ibid*, March 11, 2003
[48] *Ibid*, March 17, 2003
[49] *Ibid*, March 13, 2003
[50] *Ibid*, August 24, 2003
[51] *Ibid*

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candidate against Bikalpa Dhara candidate Major (Retd) M.A. Mannan. In order to bag the election it is alleged that government marched terrorists and criminals in this constituency.[52] In such a case it was heard that Sheikh Jahangir Hussain, judge of Speedy Trial Tribunal was transferred for not giving bail to two notorious criminals viz. Sweden Aslam and his right hand associate. Jahangir Hussain said, "PP Abdullah Mahmud Hasan, Dhaka Metropolitan Sessions Court, and Md. Moinuddin, Special PP to Dhaka Speedy Trial Tribunal No-2 asked him in his chamber to enlarge some criminals accused of STT case No-4 of 2004 on bail before the by-polls of Dhaka-10 seat. Since he refused to do that he was transferred to Barisal as Judge of Nari-O-Shishu Nirjatan Daman Tribunal on June 13, 2004.[53]

Referring the event Sheikh Hasina accused the government of bringing together notorious criminals from across the country to ensure election victory in Dhaka-10 seat.[54] Not only that, CEC for maintaining peace asked for army deployment in the by-polls. In this regard CEC M.A. Sayeed on June 17, 2004 sent letter to the government.[55] But government did not heed to his demand. This refusal forced the EC and opposition candidate M.A. Mannan to take the assistance of the court. Under these circumstances perceiving certain irregularities in Dhaka-10 by-polls CEC M.A. Sayeed left the country on 50 day leave to USA on June 25, 2004 on the ground of personal cause.[56] In his place EC Shafiur Rahman was made Acting CEC. Such leave of 50 days before the crucial by-polls was not a good sign. It signed the victory of the government in getting relief of honest and strong person Mr. Sayeed for the time being. Later Mr. Sayeed spent his last year in office beyond the media. At the last moment one day before polls on June 29, 2004 High Court asked the government to deploy armed forces at all polling centres across the constituency.[57] But during the poll army was inactive. Mannan withdrew his candidature at 10.30 a.m. immediately after the start of polls on July 1, 2004 terming the by-polls nothing but a farce.[58] AL, JP, eleven-party LDF accused the government of unleashed fraud, rigging and absence of proper army personnel in polling station.[59] On the other hand BNP Secretary General Abdul Mannan Bhuiyan said that by-polls was free and fair.[60] Victorious candidate Falu expressed his deep satisfaction over election process, voters' turnout and fair polls.[61] EC in its press release expressed its deep satisfaction regarding by-polls.[62] After getting rid of M.A. Syeed government appointed Justice M.A Aziz as CEC on May 23, 2005. Here it is worthy to mention that M.A. Aziz was appointed as Appellate Division Justice keeping aside two senior most judges of the High Court Division on January 6, 2004.[63]

e) Supreme Court Bar and Government

Pro-AL lawyers were annoyed with the government over the non-confirmation of 6 Additional Judges recruited by AL government. In order to realize their demand High Court lawyers observed court boycott and hunger strike on March 1, 2003.[64] They also called to hold grand convention of lawyers on March 14, 2003 in support of their cause. Countering the opposition programme pro-government lawyers called grand rally on the same day. But on March 13, 2003 government backed lawyers captured opposition stage. However on March 14, 2003 pro-AL and pro-government lawyers held their concerned conventions in the Supreme Court premises in a chaotic condition. Pro-government lawyers opposed the demand of the pro-AL lawyers. As a result of which clashes broke out in the premises of High Court.[65] Amid such tense stand-off between pro-government and anti-government lawyers election held in Supreme Court Bar Association on April 1, 2003. In the election AL and left alliance backed white panel bagged 10 seats including President and Secretary out of 15. Barrister Rokanuddin Mahmud was elected president. And Advocate Mahbub became Secretary.[66] This body throughout four-party alliance rule played anti-government role.

f) Loss of Support and Opposition Movement

Watching the relentless corruption, deteriorating law and order, severe power cut people of the country lost their confidence on the alliance government it was claimed. Not only that, some said alliance government had no chance to win if midterm polls would have been held. Under this circumstances AL and CPB leaders on August 10, 2003 agreed to launch movement against the 4-party alliance government.[67] AL General Secretary Abdul Jalil and CPB President Manjurul Ahsan Selim were present in the meeting. They decided their issues on the basis of which the movement would be moved forward. These issues were:-[68]

1) Full implementation of the four principles of liberation war;
2) Holding trial of war criminals;
3) Halting distortion of the history of liberation war; and

[52] *The Bangladesh Observer*, June 24, 2004.
[53] *Ibid*, June 23, 2004
[54] *Ibid*, June 24, 2004
[55] *Ibid*, June 18, 2004
[56] *Ibid*, June 22, 2004
[57] *Ibid*, June 30, 2004
[58] *Ibid*, July 2, 2004
[59] *Ibid.*
[60] *Ibid.*
[61] *Ibid.*
[62] *Ibid.*
[63] *Ibid*, January 7, 2004
[64] *Ibid*, March 2, 2003
[65] *Ibid*, March 15, 2003
[66] *Ibid*, April 2, 2003
[67] *Ibid*, August 11, 2003
[68] *Ibid*

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4) Recognition and evaluation of all participated in liberation war irrespective of their party affiliation.

None of these issues was connected with the sufferings of the common people. That means, AL and its allies did not feel the pulse of the people, although they claimed themselves as the party of the people.

g) Kidnapping and Ransom

Along with lawlessness, corruption, smuggling, emergence of fundamentalist element, electricity failure another form of crimes increased very fast i.e. kidnapping and ransom in the country. BNP leader and business tycoon Mr. Jamaluddin Ahmed was kidnapped from his way to office in Chittagong on July 24, 2003. It was alleged that his kidnapper demanded 10 crore of taka as ransom. Police arrested his alleged kidnapper but failed to find out his whereabouts. Most astonishing thing in this case was that alleged kidnapper lost his life in police custody on December 11, 2003.[69] It was claimed that rival BNP leaders were behind this incident. In another event high profile business magnet Rezanur Rahman Zakir was killed for money in Chittagong on August 13, 2003.[70]

The business community of the country in an open statement aired on August 31, 2003 expressed their deep concern over the deteriorating law and order along with new nature of crime. They said daily incidents of extortion, smuggling, kidnapping and murder had created widespread scare among the businessmen of all sizes affecting their morale. Similar scare has been prevailing in nearly all sectors of the society who feel captive in the hands of criminals and anti-social elements. They urged the government to launch anti-criminal drive immediately in the name of "2nd Clean Heart" against the criminals, terrorists, and corrupt elements. The signatories of the statement were viz. Mr. Anis Ud-Dowla, President Bangladesh Employers Federation, Kazi Moniruzzaman, President BGMEA, M.A. Awal, Chairman of Bangladesh Textile Mills Association, Tapan Chowdhury, President Metropolitan Chamber of Commerce and Industry and others.[71]

h) Loss of Popularity and Dream for Re-election

Along with all these problems the spiral price hike of daily necessities not only made the life of common people hell but also accumulated the burden of the government to an unbearable position.[72] As a result of which popularity of the alliance government reached to its all time low it was claimed.

However condemning the opposition PM Khaleda Zia said, "Inshallah BNP led alliance would return to power again in future with the cooperation of people for furthering the development of the country and welfare of the people."[73]

PM on December 30, 2003 blamed opposition for maligning Bangladesh image. Sensing their defeat in next election the opposition was trying to create disorder through destructive activities.[74] Such statement of BNP Chairman Khaleda Zia smelt some conspiracy in next parliamentary polls. Common people could raise question why conspiracy was sensed. It was claimed that BNP-Jamaat *Jote* lost support of the people. For the alleged connection with Islamic fundamentalists foreign governments such as USA, UK, Canada, Australia started maintaining distance from the government from mid 2003. In spite of that BNP-Jamaat *Jote* dreamed of re-election.

The experts opined there was another option for re-election and that was manipulation in election. It is only possible when both the administration and EC would act for the BNP-Jamaat *Jote*. Perhaps keeping that point in view four-party alliance government from the very beginning started manning administration with partisan officials. AL Chairperson on January 7, 2003 alleged government of politicizing administration. She in an open letter written to IED programme said, "5000 employees were terminated out of political malice, 400 officers were graded down to OSD and 400 officers were appointed on contract basis."[75] Although number was exaggeration no doubt but genuineness was found when around 200 mid level bureaucrats were seen praying to 1/11 government for remedy against step-motherly behaviour by four-party alliance government.[76]

i) Fourteenth Amendment and Opposition

Although JP from the very beginning was opposing the Constitution (Fourteenth Amendment) Bill but it voted for the bill. Referring the change of position JP leader G.M. Kader, younger brother of H.M. Ershad in an interview with TV channel said that JP (Ershad) MPs were compelled to give vote for the Constitution (Fourteenth Amendment) Bill, 2004 in order to save their party Chairman H.M. Ershad from being arrested.[77] Such type of statement not only revealed the hollowness of judicial system but also proved the fear of the opposition true that government was using the highest court for her political interest and would use that in next election. Though AL MPs were not present in the House when the bill was placed on voting yet outside the House Sheikh Hasina said there required no amendment for those subjects.[78] Deputy leader of the opposition Abdul Hamid Khan referring the extension of age of the judges of the Supreme Court called the amendment bill a black legislation designed to meet

[69] *Ibid*, December 12, 2003
[70] *Ibid*, August 14, 2003
[71] *Ibid*, September 1, 2003
[72] *Ibid*, September 5, 2002.
[73] *Ibid*, October 20, 2003.
[74] *Ibid*, December 31, 2003.
[75] *Ibid*, January 8, 2004.
[76] *Ibid*, January 19, 2007.
[77] *The Bangladesh Observer*, May 17, 2004.
[78] *Ibid*

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political ends of the ruling alliance. He told the reporters in *Sangsad Bhaban* that that was a clear arrangement to fabricate and manipulate the future election by BNP and their allies as the bill had set who would be the Chief Adviser of the next caretaker government. They wanted to keep control over the next election. He also said BNP violated its pre-election commitment and ignored the demands of all opposition parties and women organizations for direct election to the women reserved seats.[79]

It appeared that last retired Chief Justice K.M. Hasan and sitting Chief Justice Mr. J.R. Mudassir held pro-BNP political view. Because both were appointed as Chief Justice superseding senior most judge of the Appellate Division. If retiring age were not increased Chief Justice Mudassir would have been retired earlier not only that other two/more judges could have gone into retirement at the end of 2006. As a result BNP government would not have gotten any Chief Justice of their choice. By this increase of retiring age BNP government got both retired Chief Justice K.M. Hasan and incumbent Chief Justice J.R. Mudassir as certain Chief Adviser of caretaker government for ninth *Jatiya Sangsad*.

III. Provisions of Fourteenth Amendment

Four party alliance government led by BNP had in its election manifesto pointed out that it would amend the Constitution to increase women reserved seats in the House. On January 14, 2004 four-party alliance in a meeting presided over by PM Khaleda Zia resolved to increase the seats of JS to 450 from 300. Of the 150 seats 100 seats for men and 50 for women. BNP General Secretary Abdul Mannan Bhuiyan said women seats would be distributed proportionately to the political parties having general seats in the House. He told the pressmen that 500-member parliament was one of the election commitments of BNP led alliance. Since maximum accommodation of the House is 450, the alliance has decided to stick to that.[80]

On March 8, 2004 Cabinet approved the Constitution (Fourteenth Amendment) Bill. The bill contained three provisions viz.,[81]

1) Women reserved seats in the House:- There will be 45 reserved seats in the House for women. They will be indirectly elected by the elected members of the House. The reserved seats will be distributed proportionately to the political parties having representation in the Parliament.

However opposition and women organizations demanded direct election to the women seats. Law Minister Moudud Ahmed rejected that proposal saying it was not politically and constitutionally possible.[82]

2) The bill proposed a provision for the government officials to run any local government body if election is not held on time after the expiry of the tenure of elected representatives.
3) The projection and preservation of the portraits of the President and Prime Minister in government offices and organizations is made mandatory.

On March 17, 2004 Law Minister Moudud Ahmed introduced the Constitution (Fourteenth Amendment) Bill in the House. The bill contained the following provisions:[83]

1) There shall be 45 reserved seats for women in the parliament. They will be indirectly elected by the elected member of the House. These seats will be distributed proportionately to the political parties having representation in the House. This provision is made for 10 years from first session of ninth parliament but it will come into effect for the residual period of eighth parliament.
2) The portrait of the President must be preserved and displayed at the offices of the President, the Speaker and all Bangladesh Mission abroad. While the PM's portrait will be displayed at the office of the President, the Speaker and in head and branch offices of all government, semi-government, autonomous bodies, statutory public authorities, government educational institutions and Bangladesh Missions abroad.

In this regard Law Minister said AL government issued an administrative order with regard to display of portrait of incumbent Prime Minister and President. Accordingly at all government, semi-government and autonomous offices portrait of the then Prime Minister was hung. With the departure of Hasina government supporters of four-party alliance kicked off these portraits disgracefully. Watching the feeling of the supporters of four-party alliance BNP government revoked that order.

3) The CEC will administer oath to the elected members of the Parliament within three days if the designated person under the constitution fails to conduct the oath after three days of the publication of official result of the general polls.
4) The elected members of the local government bodies such as Union Parishad, Municipality, City Corporation shall not continue in office after the expiration of their terms and the election must be held within 90 days of such expiry to reconstitute

[79] *Ibid*
[80] *The Bangladesh Observer*, January 15, 2004
[81] See the Constitution (forteenth amendment) Bill approved in the Cabinet on March 8, 2004. see *the Bangladesh Observer* , March 9, 2004
[82] *The Bangladesh Observer*, March 12, 2004
[83] See the Parliamentary Proceeding of March 17, 2004 published in *the Bangladesh Observer* on March 18, 2004

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those bodies. During the interim period a public officer to be appointed by the government will take care of that local unit.

Mr. Kader Siddiqi, president Bangldesh Krishak Sramik Janata League, opposed the bill. None of the proposed provisions was related to public causes, it was argued. BNP had promised 200 new seats but proposed only 45 seats only for women.[84]

The House sent the bill to the Parliamentary Standing Committee for further scrutiny giving two weeks to complete. On April 20, 2004 all of a sudden three new provisions were included in the Constitution amendment bill and those provisions were as follows;[85]

1) Enhancement of the retirement age of the judges of the Supreme Court from 65 to 67.
2) Increasing of the retirement age of the Comptroller and Auditor General, Chairman and members of the PSC from 62 to 65 years.
3) The Comptroller and Auditor General, Chairman and members of the PSC will hold office for five years.

With regard to the extension of the retiring age of the judges of the Supreme Court Law Minister Moudud Ahmed said three out of seven judges of the Appellate Division would go on retirement by 2005, while another judge will retire by 2007. That means four out of seven judges of the Appellate Division would go into retirement within a period of three and a half years. In High Court Division another 21 judges would retire by 2005 and 2006. He said so many retirements would create vacuum in the court. In order to save the highest judiciary from this vacuum and to keep the ongoing trial tempo there was no alternative but to increase the age of the judges.[86]

On April 26, 2004 Cabinet unanimously approved the reformed amendment bill.[87] On April 28, 2004 the bill was introduced in the House for discussion. Bangabir Kader Siddiqi opposing the bill said that the amendments were not necessary. He suggested that the women reserved seat should be raised to 150 and direct election should be made for their election. Regarding the display of portraits he suggested new provision for the display of portraits of Sheikh Mujib and Ziaur Rahman along with President and PM.[88] However, House sent the bill back to the Parliamentary Standing Committee for further scrutiny.[89] By this time on April 25, 2004 AL submitted a memorandum to the government demanding for the withdrawal of the amendment bill along with four other causes.[90] On May 10, 2004 JP President H.M. Ershad called for the government to withdraw the constitution fourteenth amendment bill. He contended that the provisions for which amendment to the constitution had been proposed were unnecessary. With regard to the extension of the age of the Supreme Court judge he said amendment was not acceptable as it might influence the next election.[91] On May 12, 2004 AL breaking their 11-month long Parliament boycott joined the House. But they did not participate in the voting of the bill on May 16, 2004.

On May 13, Parliamentary Standing Committee submitted the amendment bill with the recommendation for scrapping the provision of appointment of executive to local government bodies for interim period after the end of tenure but before the holding of election.[92] Finally on May 16, 2004 the Constitution (Fourteenth Amendment) Bill was passed by 226 to 1 notes.[93]

a) Display of Portraits of President and Prime Minister

A new article 4A was inserted in the Constitution. It lays down that the portrait of incumbent president shall be preserved and displayed at the office of President, Prime Minister, Speaker and all embassies and missions of Bangladesh abroad. Another provision was made with regard to the display of PM's portrait. It writes down that the portrait of incumbent Prime Minister shall be preserved and displayed at the offices of President, and Speaker, and head and branch offices of all government and semi-government offices, autonomous bodies, statutory public authorities, government educational institutions, embassies and missions of Bangladesh abroad.[94] This new provision stopped dirty politics between the major two political parties – BNP and AL with respect to hanging of the portraits of the head of the state and head of the government in government, semi-government and autonomous offices.

b) Increase of Women Reserved Seats in Parliament

By tenth amendment term of women reserved seats in the House had been extended for further ten years which ended in the year 2001. The fourteenth amendment made provision for women reserved seat for further ten years starting from tenth parliament. It increased the number of seats from thirty to forty five. A rational concept of distribution of women reserved seats was inserted in the Constitution. It says that every political party having a minimum representation in the Parliament shall get share of women reserved seats

[84] *Ibid*
[85] See the parliamentary proceeding and Cabinet resolution of April 20, 2004 published in *the Bangladesh Observer* on April 21, 2004
[86] *The Bangladesh Observer*, April 21, 2004
[87] The Cabinet resolution of April 26, 2004 published in *the Bangladesh Observer* on April 27, 2004
[88] The Parliamentary proceeding and debate of April 28, 2004 published in *the Daily Star* on April 29, 2004
[89] *Ibid*
[90] *The Bangladesh Observer*, April 26, 2004
[91] *Ibid*, May 11, 2004
[92] The parliamentary proceeding of May 13, 2004 published in *the Bangladesh Observer* on May 14, 2004
[93] The parliamentary proceeding of May 16, 2004 published in *the Bangladesh Observer* on May 17, 2004
[94] See Act No.XIV of 2004 published in official gazette on May 17, 2004

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proportionately.[95] This insertion ensured the participation of female in law making process and politics. For the first time in Bangladesh it did justice in distributing female reserved seats among the political parties having seats in the House. Earlier majority party in the House who possessed 151 seats bagged all women reserved seats.

c) *Extension of Retiring Age of Judges*

In clause (1) of article 96 retiring age of the judges of the Supreme Court was increased to 65 from 62. [96]

Although this extension was very much essential for the working of the highest court but it was contended that the government did it for getting political benefit. Such extension made Chief Justice K.M. Hasan who retired on January 23, 2004 the last retired Chief Justice who should have been the Chief Adviser unless the opposition forced him to denounce the offer. Chief Justice K.M.Hasan was the editor of BNP Foreign Affairs in 1977-1978.[97]

d) *Extension of Retiring Age of Members of Public Service Commission, and Auditor-General*

In clause (1) of article 129 and clause (1) of Article 139 retiring age of the Auditor-General and members of Public Service Commission was increased to 65 from 62.[98] This extension opened the door for more experienced persons to be appointed as Auditor-General and PSC Chairman or members.

e) *Chief Election Commissioner as Oath Administering Officer*

A new clause (2A) was inserted after clause (2) in article 148. Previously Speaker was to administer oath to the Members of Parliament. New provision lays down that within three days from the publication of parliamentary result in official gazette Members of Parliament shall take their affirmation. In case of failure CEC shall administer oath to the members of Parliament within three days next thereafter.[99] Under this change Speaker is given relief of some duty in respect of administering oath to elected Member of Parliament who fails to take oath from him within three days after the publication of election result in gazette notification.

f) *Amendment of Fourth schedule*

A new paragraph was added after paragraph 22 in fourth schedule. This paragraph introduced forty-five women reserved seats for the residual period of the eighth parliament. These seats were distributed among the political parties which had seats in the House proportionately.

IV. Opposition Movement against Chief Justice K M Hasan

Because of the increase of retirement age under the fourteenth amendment government ensured Chief Justice K M Hasan as the head of caretaker government in 2006. But opposition did not agree with Justice K M Hasan because of his political affiliation with BNP. Opposition in order to materialize their stand created a very violent and destructive political movement leading to lawlessness all over the country. On the other hand government was seen to abide by the constitution with fourteenth amendment. But anarchic suffocating wild political atmosphere created by the opposition did not only force KM Hasan to give up his post before entering into office but also lead the nation towards the military rule under Fakruddin Ahmed from 11th January, 2007.

V. Conclusion

In democracy power of the government lasts so far it has the support of the people for its performance. BNP led four-party alliance having been voted in power in a landslide victory lost acceptability to the people for its failure in fulfilling her electoral promises. In spite of that government expressed her desire for prolonging power till 2020. Mysterious behaviour of government with Chief Election Commissioner MA Sayed and Election Commission, and appointment of Chief Justice in violation of seniority rule were directed to materialize that dream. These events further defused the image of the government. In spite of losing popular support government brought fourteenth amendment bill incorporating provisions regarding display of portrait, women reserve seat and some other tricky matters. Opposition had no headache regarding these matters. But sudden inclusion of the provision with regard to the increase of retiring age of Supreme Court judge malign the amendment and shaken willingness of the government for testing her fate in a free and fair election. The pre and post amendment behaviour of the government and unequivocal desire for victory in future election questioned the veracity of the government relating people's expectation under caretaker government. But opposition movement foiled government's plan and led the nation towards emergency rule under Fakruddin Ahmed.

[95] *Ibid*
[96] See Act No.XIV of 2004 published in official gazette on May 17, 2004
[97] See chapters 2.4.15, 3.1.9.3 and 3.2.1
[98] See Act No. XIV of 2004 published in official gazette on May 17, 2004
[99] *bid*

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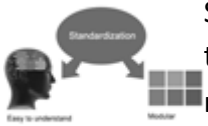


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21. Arrangement of information: Each section of the main body should start with an opening sentence and there should be a changeover at the end of the section. Give only valid and powerful arguments to your topic. You may also maintain your arguments with records.

22. Never start in last minute: Always start at right time and give enough time to research work. Leaving everything to the last minute will degrade your paper and spoil your work.

23. Multitasking in research is not good: Doing several things at the same time proves bad habit in case of research activity. Research is an area, where everything has a particular time slot. Divide your research work in parts and do particular part in particular time slot.

24. Never copy others' work: Never copy others' work and give it your name because if evaluator has seen it anywhere you will be in trouble.

25. Take proper rest and food: No matter how many hours you spend for your research activity, if you are not taking care of your health then all your efforts will be in vain. For a quality research, study is must, and this can be done by taking proper rest and food.

26. Go for seminars: Attend seminars if the topic is relevant to your research area. Utilize all your resources.



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27. Refresh your mind after intervals: Try to give rest to your mind by listening to soft music or by sleeping in intervals. This will also improve your memory.

28. Make colleagues: Always try to make colleagues. No matter how sharper or intelligent you are, if you make colleagues you can have several ideas, which will be helpful for your research.

29. Think technically: Always think technically. If anything happens, then search its reasons, its benefits, and demerits.

30. Think and then print: When you will go to print your paper, notice that tables are not be split, headings are not detached from their descriptions, and page sequence is maintained.

31. Adding unnecessary information: Do not add unnecessary information, like, I have used MS Excel to draw graph. Do not add irrelevant and inappropriate material. These all will create superfluous. Foreign terminology and phrases are not apropos. One should NEVER take a broad view. Analogy in script is like feathers on a snake. Not at all use a large word when a very small one would be sufficient. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Amplification is a billion times of inferior quality than sarcasm.

32. Never oversimplify everything: To add material in your research paper, never go for oversimplification. This will definitely irritate the evaluator. Be more or less specific. Also too, by no means, ever use rhythmic redundancies. Contractions aren't essential and shouldn't be there used. Comparisons are as terrible as clichés. Give up ampersands and abbreviations, and so on. Remove commas, that are, not necessary. Parenthetical words however should be together with this in commas. Understatement is all the time the complete best way to put onward earth-shaking thoughts. Give a detailed literary review.

33. Report concluded results: Use concluded results. From raw data, filter the results and then conclude your studies based on measurements and observations taken. Significant figures and appropriate number of decimal places should be used. Parenthetical remarks are prohibitive. Proofread carefully at final stage. In the end give outline to your arguments. Spot out perspectives of further study of this subject. Justify your conclusion by at the bottom of them with sufficient justifications and examples.

34. After conclusion: Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium though which your research is going to be in print to the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects in your research.

Informal Guidelines of Research Paper Writing

Key points to remember:

- Submit all work in its final form.
- Write your paper in the form, which is presented in the guidelines using the template.
- Please note the criterion for grading the final paper by peer-reviewers.

Final Points:

A purpose of organizing a research paper is to let people to interpret your effort selectively. The journal requires the following sections, submitted in the order listed, each section to start on a new page.

The introduction will be compiled from reference matter and will reflect the design processes or outline of basis that direct you to make study. As you will carry out the process of study, the method and process section will be constructed as like that. The result segment will show related statistics in nearly sequential order and will direct the reviewers next to the similar intellectual paths throughout the data that you took to carry out your study. The discussion section will provide understanding of the data and projections as to the implication of the results. The use of good quality references all through the paper will give the effort trustworthiness by representing an alertness of prior workings.

Writing a research paper is not an easy job no matter how trouble-free the actual research or concept. Practice, excellent preparation, and controlled record keeping are the only means to make straightforward the progression.

General style:

Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

To make a paper clear

· Adhere to recommended page limits

Mistakes to evade

- Insertion a title at the foot of a page with the subsequent text on the next page
- Separating a table/chart or figure - impound each figure/table to a single page
- Submitting a manuscript with pages out of sequence

In every sections of your document

· Use standard writing style including articles ("a", "the," etc.)

· Keep on paying attention on the research topic of the paper

· Use paragraphs to split each significant point (excluding for the abstract)

· Align the primary line of each section

· Present your points in sound order

· Use present tense to report well accepted

· Use past tense to describe specific results

· Shun familiar wording, don't address the reviewer directly, and don't use slang, slang language, or superlatives

· Shun use of extra pictures - include only those figures essential to presenting results

Title Page:

Choose a revealing title. It should be short. It should not have non-standard acronyms or abbreviations. It should not exceed two printed lines. It should include the name(s) and address (es) of all authors.



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Abstract:

The summary should be two hundred words or less. It should briefly and clearly explain the key findings reported in the manuscript--must have precise statistics. It should not have abnormal acronyms or abbreviations. It should be logical in itself. Shun citing references at this point.

An abstract is a brief distinct paragraph summary of finished work or work in development. In a minute or less a reviewer can be taught the foundation behind the study, common approach to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Yet, use comprehensive sentences and do not let go readability for briefness. You can maintain it succinct by phrasing sentences so that they provide more than lone rationale. The author can at this moment go straight to shortening the outcome. Sum up the study, with the subsequent elements in any summary. Try to maintain the initial two items to no more than one ruling each.

- Reason of the study - theory, overall issue, purpose
- Fundamental goal
- To the point depiction of the research
- Consequences, including definite statistics - if the consequences are quantitative in nature, account quantitative data; results of any numerical analysis should be reported
- Significant conclusions or questions that track from the research(es)

Approach:

- Single section, and succinct
- As a outline of job done, it is always written in past tense
- A conceptual should situate on its own, and not submit to any other part of the paper such as a form or table
- Center on shortening results - bound background information to a verdict or two, if completely necessary
- What you account in an conceptual must be regular with what you reported in the manuscript
- Exact spelling, clearness of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else

Introduction:

The **Introduction** should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable to comprehend and calculate the purpose of your study without having to submit to other works. The basis for the study should be offered. Give most important references but shun difficult to make a comprehensive appraisal of the topic. In the introduction, describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will have no attention in your result. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here. Following approach can create a valuable beginning:

- Explain the value (significance) of the study
- Shield the model - why did you employ this particular system or method? What is its compensation? You strength remark on its appropriateness from a abstract point of vision as well as point out sensible reasons for using it.
- Present a justification. Status your particular theory (es) or aim(s), and describe the logic that led you to choose them.
- Very for a short time explain the tentative propose and how it skilled the declared objectives.

Approach:

- Use past tense except for when referring to recognized facts. After all, the manuscript will be submitted after the entire job is done.
- Sort out your thoughts; manufacture one key point with every section. If you make the four points listed above, you will need a least of four paragraphs.

- Present surroundings information only as desirable in order hold up a situation. The reviewer does not desire to read the whole thing you know about a topic.
- Shape the theory/purpose specifically - do not take a broad view.
- As always, give awareness to spelling, simplicity and correctness of sentences and phrases.

Procedures (Methods and Materials):

This part is supposed to be the easiest to carve if you have good skills. A sound written Procedures segment allows a capable scientist to replacement your results. Present precise information about your supplies. The suppliers and clarity of reagents can be helpful bits of information. Present methods in sequential order but linked methodologies can be grouped as a segment. Be concise when relating the protocols. Attempt for the least amount of information that would permit another capable scientist to spare your outcome but be cautious that vital information is integrated. The use of subheadings is suggested and ought to be synchronized with the results section. When a technique is used that has been well described in another object, mention the specific item describing a way but draw the basic principle while stating the situation. The purpose is to text all particular resources and broad procedures, so that another person may use some or all of the methods in one more study or referee the scientific value of your work. It is not to be a step by step report of the whole thing you did, nor is a methods section a set of orders.

Materials:

- Explain materials individually only if the study is so complex that it saves liberty this way.
- Embrace particular materials, and any tools or provisions that are not frequently found in laboratories.
- Do not take in frequently found.
- If use of a definite type of tools.
- Materials may be reported in a part section or else they may be recognized along with your measures.

Methods:

- Report the method (not particulars of each process that engaged the same methodology)
- Describe the method entirely
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures
- Simplify - details how procedures were completed not how they were exclusively performed on a particular day.
- If well known procedures were used, account the procedure by name, possibly with reference, and that's all.

Approach:

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

What to keep away from

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

Results:

The principle of a results segment is to present and demonstrate your conclusion. Create this part a entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently.You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.



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Content

- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
- In manuscript, explain each of your consequences, point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

What to stay away from

- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
- Not at all, take in raw data or intermediate calculations in a research manuscript.
- Do not present the similar data more than once.
- Manuscript should complement any figures or tables, not duplicate the identical information.
- Never confuse figures with tables - there is a difference.

Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
- If you desire, you may place your figures and tables properly within the text of your results part.

Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
- Despite of position, each figure must be numbered one after the other and complete with subtitle
- In spite of position, each table must be titled, numbered one after the other and complete with heading
- All figure and table must be adequately complete that it could situate on its own, divide from text

Discussion:

The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
- Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work
- You may propose future guidelines, such as how the experiment might be personalized to accomplish a new idea.
- Give details all of your remarks as much as possible, focus on mechanisms.
- Make a decision if the tentative design sufficiently addressed the theory, and whether or not it was correctly restricted.
- Try to present substitute explanations if sensible alternatives be present.
- One research will not counter an overall question, so maintain the large picture in mind, where do you go next? The best studies unlock new avenues of study. What questions remain?
- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

- When you refer to information, differentiate data generated by your own studies from available information
- Submit to work done by specific persons (including you) in past tense.
- Submit to generally acknowledged facts and main beliefs in present tense.

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Topics	Grades		
	A-B	**C-D**	**E-F**
Abstract	Clear and concise with appropriate content, Correct format. 200 words or below	Unclear summary and no specific data, Incorrect form Above 200 words	No specific data with ambiguous information Above 250 words
Introduction	Containing all background details with clear goal and appropriate details, flow specification, no grammar and spelling mistake, well organized sentence and paragraph, reference cited	Unclear and confusing data, appropriate format, grammar and spelling errors with unorganized matter	Out of place depth and content, hazy format
Methods and Procedures	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
Result	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
Discussion	Well organized, meaningful specification, sound conclusion, logical and concise explanation, highly structured paragraph reference cited	Wordy, unclear conclusion, spurious	Conclusion is not cited, unorganized, difficult to comprehend
References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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