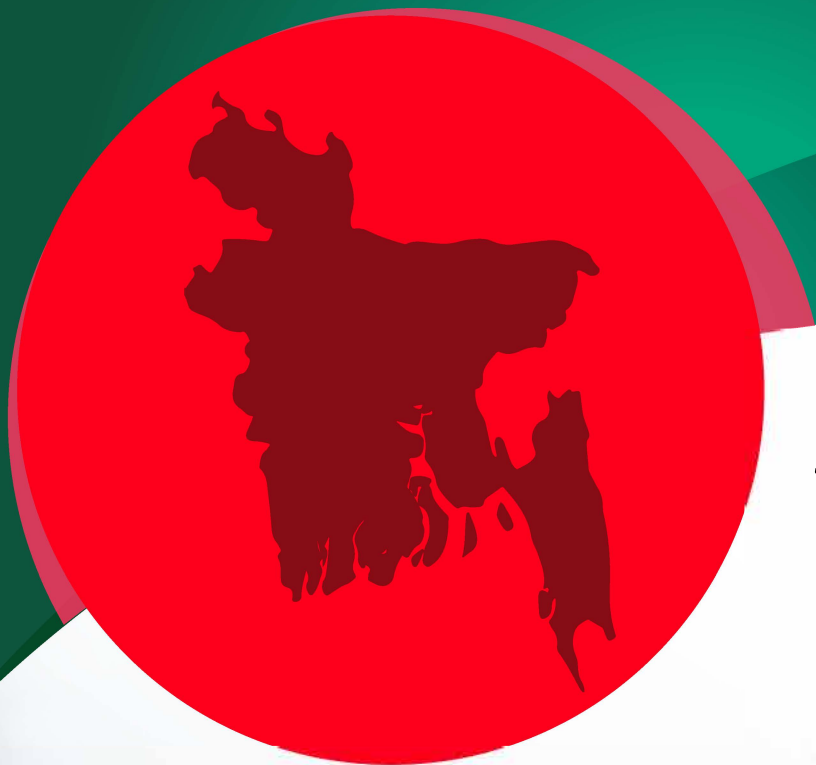


Volume 3
Number 1
Year 2001
ISSN 1529-0905



Journal of
**BANGLADESH
STUDIES**



TABLE OF CONTENTS

From the Editor	Syed S. Andaleeb	i
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ARTICLES

The Bangladesh-India Friendship Treaty: A Critical Analysis	Choudhuri M. Shamim	1
Bureaucratic Corruption and Business Ethics: The Case of Garment Exports From Bangladesh	Munir Quddus	16
Multiple Equilibrium in the Government Service Labor Market: The Possibilities for Bangladesh	Nazrul Islam	25
Male Migrants' Return, Women's Fertility and HIV Status in Bangladesh	Patricia L. Johnson	38
Natural Gas Sector in Bangladesh: Issues and Options	Salma C. Zohir	50

THE BANGLADESH-INDIA FRIENDSHIP TREATY: A CRITICAL ANALYSIS

Choudhury M. Shamim

ABSTRACT

This paper seeks to discuss Bangladesh-India relations from a strategic perspective with special focus on the 1972 Bangladesh-India Friendship treaty. It delves into the origins of the alliance between the two countries and their motivations for signing it. It looks at how the treaty has fared in practice and why subsequent regimes did not abrogate it. This author believes that the treaty resulted from the circumstances of Bangladesh's independence war and the role that India played in it. The Cold War and the global alliance system also had a role. Now that the Cold War is over and Bangladesh is no longer a newly emergent nation, is there any need for the continuation of the treaty?

Introduction

On April 18, 2001, there was a border skirmish between India and Bangladesh in the country's northeastern frontier. Sixteen Indian and three Bangladeshi border guards were killed. This border incident in terms of military casualties was "the worst in three decades." A Reuter report sketched the following scenario:

At the crack of dawn...nearly 300 BSF troops intruded nearly 600 meters into Bangladesh territory by cutting the barbed wire fence erected by their government in an attempt to capture BDR's Boraibari Border Outpost (BOP) in Roumari in Kurigram. It was about 5:15 am when villagers were surprised to see advancing BSF troops, firing indiscriminately from mortar and machine guns. The volleys of gunfire and continuous shelling panicked the villagers as Indian troops were pushing through agricultural lands and dusty roads. Only 16 BDR personnel who manned the Boraibari BOP 600 meters inside Bangladesh territory immediately opened fire from light machine guns and automatic weapons. The Indian soldiers beat a hasty retreat under the barrage of gunfire from mounted positions in the fortified BDR outpost. ...Yesterday's attack by nearly half a battalion Indian troops was the first by the neighboring country since Bangladesh's independence, said security officials.ⁱ

There are instances when border clashes have signaled a shift in the strategic position of a

country. The Sino-Indian border clashes of the late 1950s led to the Sino-Indian war of 1962. Since then China has been a strategic competitor of India. In the same way Sino-Soviet border clashes and the Damansky island incident of 1969 led to a rupture in the strategic relationship of the two communist powers. Indeed such was the breach that it motivated Mao Zedong to seek a rapprochement with that arch anti-communist American President Richard Nixon, which resulted in the Shanghai Communique of 1972.

The current Bangladesh government sees India as a "strategic partner" rather than a "strategic competitor." This thinking and philosophy has a long history and goes back to the birth of Bangladesh and the role India played in it. Many Indians think that India created Bangladesh, but that the latter has never really showed gratitude to the former. This feeling came out very clearly as I listened to CBS News in my car radio in Los Angeles, California, right after the border clash took place. The CBS reporter Ranjan Gupta was reporting by telephone from New Delhi. He said that Bangladesh border guards had killed 16 Indian troops. In those few seconds of "live on the air" reporting he mentioned that "ironically" it was India that had created Bangladesh in 1971. The report ended there or was cut off by CBS for time constraints. But the implication was quite clear; here again was Bangladesh being not only ungrateful but downright hostile. But the Awami League regime of Bangladesh has always been the one that India has favored. In 1971 it was the Awami League which spearheaded Bangladesh's war of independence and achieved liberation from Pakistan Army with Indian help. Soon the Bangladesh leader Sheikh Mujibur Rahman formed a "strategic partnership" with India and signed a renewable 25-year peace treaty. The

current prime minister of Bangladesh Sheikh Hasina is wearing the mantle of her father Sheikh Mujib and is the leader of the Awami League. It is expected that the “basic friendship” between India-Bangladesh should continue.

The boundary disputes that have resulted in the above skirmish were supposed to have been solved by the signing of the Indira-Mujib Boundary treaty of 1974. But while the Bangladesh Parliament quickly ratified the treaty, the Lok Sabha in New Delhi has not done so even after 27 years. Swift Indian ratification of the Boundary treaty and the implementation of the terms would go a long way in removing border problems. In particular, this treaty exchanges “Indian enclaves” within Bangladesh in return for “Bangladesh enclaves” within India. It does a clean swap of each other’s enclaves designed to remove this kind of border irritants. But since the terms of the treaty were never implemented the irritants remained and were susceptible to exploitation by any side. Indeed the Indian attack along the Kurigram border came less than 24 hours after Bangladesh Rifles (BDR) reclaimed Padua BOP and 230 acres of land near Sylhet-Tamabil border after 30 years of Indian occupation.

These border incidents attest to the action-reaction or stimulus-response approach. At present many parts of the India-Bangladesh border remain tense. The solution lies not at the tactical-border level but at the strategic-governmental level. This article will discuss Indo-Bangladesh relations from a strategic perspective with special focus on the 1972 Bangladesh-India Friendship treaty.

Origins of the 1972 Friendship Treaty

Bangladesh was a victim of the Cold War alliance-system. During its War of Independence it was a pawn in the chessboard of super-power rivalry. The US tilted toward Pakistan while India allied with the Soviet Union. The 25-year Bangladesh-India Friendship Treaty resulted in Bangladesh moving away from the American alliance system to the Soviet sphere of influence. At the end of the Second World War the U.S. policy of “Containment” was implemented by programs of economically assisting and militarily equipping all nations which allied themselves with the U.S. anti-communist crusade. In 1954-55 Pakistan became a member of two American sponsored military alliances:

SEATO and CENTO.¹ It was possibly the geographical location of East Pakistan that was an important reason for Pakistan joining the South East Asia Treaty Organization (SEATO). Thus as a part of Pakistan, the territory that is now Bangladesh formed a link in the American global alliance system and received American foreign aid as it trickled down through the Pakistan government in Islamabad.

The emergence of Bangladesh as an independent nation and the signing of the Bangladesh-India Friendship Treaty in 1972 moved her away to the Soviet sphere of influence. In June 1969 Soviet leader Leonid Brezhnev had floated the proposal for an Asian Collective Security Pact. In the 1970s the Soviet Union entered into a number of “friendship treaties” with Third World nations like Egypt, Syria, Iraq, India, Vietnam and Afghanistan. The Indo-Bangladesh treaty can be seen as a sub-species of these Soviet treaties. An analysis of the articles of these treaties reveal an almost total similarity. The treaty framework is the same in all cases with minor changes arising from particular situations. Thus, Bangladesh became a Soviet ally’s ally. Similarly, Vietnam also signed a “friendship treaty” with Kampuchea. Both in Kampuchea and in Afghanistan such friendship treaties have been used as a legal cover for military intervention. Seen in these global, regional and security perspectives the Indo-Bangladesh treaty is important.

The Impetus for the Treaty

On March 19, 1972, the prime ministers of Bangladesh and India, Sheikh Mujibur Rahman and Indira Gandhi, signed at Dhaka on behalf of their respective governments a “Treaty of Friendship, Cooperation and Peace” for a term of twenty-five years and renewable by mutual agreement. This treaty came only three months after the “Victory Day”, December 16, 1971, when the Pakistan Army surrendered to the Joint Command of Indo-Bangladesh forces.

This article argues that the signing of the Indo-Bangladesh treaty was the result of many factors and the confluence of many interests, both immediate and long-range. The article will seek to analyze the conditions and circumstances that led the decisionmakers of Bangladesh to conclude this treaty and the motivating Indian interests behind it. In addition, it will also evaluate the nature and scope of the treaty and

explore its impact from a regional and global perspective. Finally, it will analyze how the treaty has fared in practice over the last thirty years and provide some recommendations for the future.

The immediate circumstance that led to the signing of the treaty was the need to withdraw the bulk of the Indian armed forces from Bangladesh and to provide a legal umbrella for the Indian troops that were remaining in certain parts of Bangladesh. Since December 1971 a very large section of the Indian Army was residing in Bangladesh and was beginning to look like an occupation army. In addition there were reports in Bangladesh that the Indian Army was sending away vast amounts of arms and ammunition left by the surrendering Pakistan Army. According to rumors circulating in Dhaka at that time, the Indian Army also took away not only large quantities of household items, furniture and electrical goods left by the Pakistanis but was also dismantling industrial machineries of abandoned factories. The important thing is that the Bangladeshis, long subjugated and fearful of external domination, totally believed such reports. Thus the Indian military was fast losing its image as a friendly force in Bangladesh and began to be perceived more as an occupation army. Furthermore, the members of the Mukti Bahini (Freedom Fighters) argued that they were the ones who had really achieved the independence of Bangladesh and that the Indian Army “just walked in Bangladesh when we had already finished the job.”² A logical follow-up of this perception was that there was no conceivable reason for the Indian Army to continue to reside in Bangladesh. In the international sector too, many countries were withholding recognition of Bangladesh because of the presence of Indian troops there. Prime minister Sheikh Mujib thus became aware of the necessity for the withdrawal of Indian forces from Bangladesh.

Another argument forwarded is that the enormous magnitude of physical destruction of Bangladesh, and the resultant economic loss, social dislocation and psychological damage was a contributory factor in motivating the Bangladesh Awami League regime to opt for the treaty. Immediately following victory, Bangladesh was faced with staggering problems that arose in the aftermath of the war in 1971. During the War of Independence an estimated 10 million refugees had taken shelter in India while

another 20 million people were displaced within Bangladesh. While it is impossible to quantify the mental and psychological damage wrought upon the Bengali people, certain reliable estimates of the physical destruction of Bangladesh can be ascertained. Total damage has been conservatively estimated to be Taka 12.5 billion, which is about 3 billion U.S. dollars (1971). The private sector damage was almost three times that of the public, estimated to be 9.3 billion and 3.2 billion taka respectively. In the private sector, housing was the hardest hit as whole villages were burnt by the Pakistan Army, incurring Taka 8.3 billion loss while in the public sector transportation incurred a loss of Taka 1.23 billion.³ While every sector demanded immediate attention the first test came on the question of rehabilitation of the 10 million refugees who had sought shelter in India. As one analyst noted,

“The continuous stream had to be provided with instant ration and basic transportation to go back where they belonged. The sick and disabled had to be taken in hand, and minors provided with all requisite care. Depleted granaries had to be replenished with overnight imports, and the disrupted communications network restored for flow of man and material. Tools of production whether in the fields, factories or homestead had to be repaired and sharpened, raw materials had to be contracted for and rushed in to feed the productive efforts. Food and clothing had to be procured in bulk to meet the daily exigencies, each one as serious as the other.”⁴

The infant Awami League Regime in 1972 was clearly ill-equipped for the task. They possessed very little administrative and management skill necessary for the reconstruction of war-ravaged Bangladesh. Other analysts have noted that: “the Awami League politicians were generally unfamiliar with running a welfare government, let alone coping with the calamity that confronted them.”⁵

Early Ties with India

During the independence war important bonds of “friendship” were forged between the Indian decisionmakers and members of the Bangladesh Awami League who fled to India following the

Pakistan Army crackdown on the night of March 25, 1971. As a result, there developed very strong bonds between the two ruling elites. The Bangladesh Awami League which worked under Indian help and guidance during the war naturally fell back on their ally when faced with the formidable task of post-war economic reconstruction. In the political and military areas, too, the Mujib regime needed Indian help. Immediately following victory there were many pro-Pakistan elements in Bangladesh, especially the members of the rightist religious parties, such as the Jamat-I-Islami and the Muslim League. Mujib perceived it necessary to crush these elements and proceeded to jail a substantial number of them as “collaborators”. But the greatest immediate threat to the Awami League regime was posed by the ultra-leftist elements. During the war various political forces had fought together to achieve Bangladesh’s independence. Mujib in particular feared the pro-Chinese radical leftist forces and suspected that these groups would not respond to his call to all the freedom fighters to surrender their arms. These groups espoused the view that the salvation of the poverty-stricken masses could be accomplished only through a social revolution based on the Chinese model and had acquired arms and ammunition during the independence war.⁶ It is interesting to note a general proposition on small state foreign policy behavior which states that the greater the threat perceived by a small country from a third country the greater the desire of the small to join in an alliance with a large country.⁷ And although the threat perceived by Mujib was domestic in nature, it was not unlikely for such a movement to receive external support, especially since the forces referred to did espouse a certain foreign model. Moreover, the Bangladesh Army was still in its infancy and lacked the resources to combat the anti-government forces. And as one Indian analyst pointed out, Mujib must have learned certain lessons from the Pakistani example of Praetorianism and Militarism and did not want to increase the strength of the Bangladesh Army and “run the risks of enslavement by it.”⁸

Apart from this perception of the threat to national security, regime stability, and territorial integrity of the country, Bangladesh policy makers also succumbed to the Indian view that no one can effectively attack Bangladesh – that is with land forces – without attacking India first.⁹ The only power that could attack

Bangladesh by land was India, especially since the former is surrounded on three sides by India with no natural frontiers. In the south the Indian Navy controls the Bay of Bengal. The only other neighbor of Bangladesh is Myanmar (Burma) sharing a small boundary in the southeast of approximately 200 miles, which consists of harsh and difficult terrain. And it was argued that such a large military force would be required for resisting India that Bangladesh could not build it up without first becoming a military state and running the risk of enslavement by it. Thus it made no sense to build a Bangladesh Army. Moreover, it was pointed out that a large military establishment was a luxury which Bangladesh could ill afford. Implicit in all these arguments was the policy prescription that Bangladesh should not have an army, at least not one capable of defending the country against external forces. The argument was that Bangladesh didn’t need an army to defend its national security. It could be done cheaply by signing a treaty with India. In other words, India would defend Bangladesh from any external threat. Bangladesh would go under the Indian defense umbrella and live in “peace”. In return all Bangladesh would offer is its “friendship”. As far as internal security was concerned India was most willing to help build the Bangladesh Rakkhi Bahini (Security Forces) trained by Indian officers and supplied by the Indian armed forces.

In addition to the difficult internal situation, Bangladesh faced a none too friendly international scenario. Two great powers, China and the USA were decidedly unfriendly towards Bangladesh during her war of independence. And the Third World, many of whom possessed break-away tendencies and centrifugal forces within them, perceiving what amounted to a secession of Bangladesh from Pakistan, were not overly eager to be friendly either. The bulk of the Islamic countries perceiving the break-up of a Muslim country with the help of conniving communists and polytheists, succumbed to hostile Pakistan propaganda and were cool in their attitude towards Bangladesh. Beijing and Washington were acting in their strategic interest and sought to contain Soviet hegemony in South Asia. The Third World countries, especially those of Africa and Asia composed of heterogeneous tribes, groups and sub-nations possessed severe centrifugal and divisive tendencies and feared that the Bangladesh example would encourage secessionist movements within their own countries. Thus,

after independence when Bangladesh sought recognition from the World, she faced a difficult international situation. In such circumstances, Indian diplomatic help became a necessity.

Indian Motivation and Interests

The interests that motivated India to conclude a treaty with her neighbor were possibly stronger than those of Bangladesh. Indian grand design has always been to assume the role and status of a great power and not just that of a regional power. The Indian view is that she possesses the potential to become a great power. In her attempt to develop that potential she was first thwarted by the British who presided over the vivisection of the Indian motherland and created Pakistan which became a sort of roadblock in the path of Indian aspirations. After 1947, Pakistan became a perennial security concern for India, especially more so when Pakistan joined the U.S. and Western alliance system and sought to achieve a military balance in the sub-continent. In the early 1960s Pakistan initiated an entente with China, which accelerated after the Sino-Indian war of 1962, further aggravating Indian military and security concerns.

In 1971 the Bangladesh war provided a golden opportunity for India to deal a *coup de grace* to the Pakistani counterweight and emerge as the pre-eminent power in South Asia. But to think that the goal of Indian foreign policy was achieved with the emergence of Bangladesh is to miss the central point. Indian policy planners were not unaware of the fierce long-term problems that the independence of Bangladesh would give rise to. In the U.N. Security Council on December 5, 1971, the Chinese representative Huang Hua noted that "the Indian Government will only eat the bitter fruits of its own making."¹⁰ On December 16, 1971, China noted that "India too has its own nationality problems, whose complexity and acuteness are rarely seen elsewhere in the world."¹¹ Henry Kissinger also emphasized the same theme:

The inevitable emergence of Bangladesh presented India with fierce long-term problems. For Bangladesh was . . . separated only by religion from India's most fractious and most separatist state, West Bengal...Whether it turned nationalist or radical, Bangladesh would over time accentuate India's centrifugal tendencies. It might

set a precedent for the creation of other Moslem States, carved this time out of India. Once it was independent, it's Moslem heritage might eventually lead to a rapprochement with Pakistan. All of this dictated to the unsentimental planners in New Delhi that its birth and had to be accompanied by a dramatic demonstration of Indian predominance on the subcontinent."¹²

Such was the thinking and attitude of India's chief adversaries. It was therefore necessary for India to consolidate her position in South Asia. Soon after Partition in 1947 India had entered into bilateral treaty agreements with Nepal and Bhutan. Thus it was logical from the Indian point of view to conclude a bilateral treaty arrangement with Bangladesh immediately after it's independence in 1971. Otherwise a future Bangladesh-Pakistan alliance or even a hostile Bangladesh could seriously impair the Indian hegemony in South Asia. Such a possibility could not be completely overruled. About 85% of the population of Bangladesh is Muslim and for a quarter century this population has been conditioned by Pakistan's propaganda to think of India as their number one enemy. Historically too, the region that is now Bangladesh had formed the hinterland of industrial West Bengal and the Bengal Muslims had always perceived themselves to have been dominated by the Hindu Bengalis.

These historical and psychological factors aside, the political and economic condition of Bangladesh was of concern to India. From the Indian point of view an unstable Awami League regime was not conducive to its overall political and military strategy in the region. A Maoist guerrilla movement in Bangladesh could affect not only the delicate political situation in West Bengal and provide impetus to the Naxalites (urban guerrillas) but also to other guerrilla movements in Nagaland, Manipur and Mizoram, all of which the Indian government has sought to keep under control with great difficulty. The pro-Chinese leftist forces active in parts of Northeast India were perceived as a significant threat to Indian security. Indeed, during the Bangladesh war the Indian government did make a conscious effort to restrict the pro-Chinese leftist forces of Bangladesh from receiving arms and military training in India.¹³

Thus, after independence when the ultra-leftist forces having acquired arms, ammunition, and training during the war were acting as a threat to the Awami League regime, India was naturally concerned. There were two ways the Indian Government could offer aid to the Mujib regime in order to crush the armed opposition and achieve governmental stability. First, it could help build up the fledgling Bangladesh Army through military aid and training in order to combat the anti-Bangladesh forces. Second, it could offer Indian troops to combat these leftist forces. In the light of Indian foreign policy goals and interests, the second choice proved more attractive, especially because circumstances in early 1972 necessitated immediate action against a section of the Pakistan Army that had retreated into the Chittagong Hill Tracts in Bangladesh. It was also necessary to take military action against Naga and Mizo guerrilla bases and forces in the Chittagong Hill Tracts.

The option of strengthening the Bangladesh Army was anathema to India for a number of reasons. First, it might become a future military and security concern for India. Second, military aid generally strengthens the military elite of the recipient nation vis-à-vis the other elites, and in the case of a fundamental conflict between different elites, the military tends to emerge victorious. India had built up significant bonds of friendship with the political elite, especially the ruling elite in Bangladesh, and therefore had no desire to strengthen the military elite to the extent that it would pose a threat to the political elite: more narrowly, to the Awami League regime. Third, the ideological and political perceptions of a military government in Bangladesh would be fundamentally different from those of democratic India, as she well knew from her interactions with the military government and generals of Pakistan. Thus, it was in India's interest to see that the military elite should never emerge victorious in Bangladesh. But India was not unaware of the weakness of the Awami League, which could not be called a political party but rather a political movement for it lacked the cohesiveness and organization in 1971 that are the essential ingredients of a political party. As one analyst noted, "... the organizational flabbiness of the Awami League hardly invite confidence in the long-range stability of the government."¹⁴ India thus wanted to provide the Awami League with military assistance which might become necessary in times of crises. The Indo-

Bangladesh treaty was to provide the legal cover for such armed assistance.

Nature and Scope of the Treaty

The Bangladesh-India friendship treaty is a comprehensive accord covering issue-areas ranging from military-security to art, literature and sports. The question that generally arises is whether the treaty constituted a military alliance. To remain objective, this article will use J. D. Singer and Melvin Small's classification of alliances and evaluate whether Bangladesh and India were joined in an alliance. Singer and Small consider three classes of alliance commitment.¹⁵ Class I is called a *defense pact*, which "commits each signatory to intervene with military force on behalf of the other(s)." Class II, is called a *neutrality or non-aggression pact*, and "commits each to refrain from military intervention against any of the other signatories in the event that they become engaged in war." Class III, labeled *entente*, "merely requires that the signatories consult with one another in the contingent eventuality." Singer and Small based their classification upon the treaty text itself and upon the way an alliance was adhered to in practice. While this article will review in another section how the Bangladesh-India treaty operated in practice, in this section the analysis of the nature and scope of the treaty will be based on the text only. Article 9 of the Bangladesh-India treaty states that:

Each of the High Contracting parties shall refrain from giving any assistance to any third party taking part in armed conflict against the other party. In case either party is attacked or threatened with attack, the High Contracting Parties shall immediately enter into mutual consultation in order to take appropriate effective measures to eliminate the threat and thus ensure the peace and security of their countries."¹⁶

The first sentence of Article 9 of the treaty makes it a neutrality pact, that is, the treaty falls into Class II of the Singer and Small category. But the second sentence of Article 9 makes the treaty an entente. Thus following Singer and Small's definition it can be said that the Bangladesh-India treaty is not a defense pact but is a combination of a neutrality or non-aggression pact and an entente. That the treaty is

a non-aggression pact is reinforced by the terms of Article 8 which states that the two countries

...shall not enter into or participate in any military alliance directed against the other party.

...shall refrain from any aggression against the other party and shall not allow the use of its territory for committing any act that may cause military damage to or constitute a threat to the security of the other High Contracting Party.”¹⁷

A continuous and dynamic element in the bilateral relations of the two countries has been introduced by Article 4 of the treaty. It enjoins them to “maintain regular contacts with each other on major international problems affecting the interest of both States, through meetings and exchanges of views at all levels.”¹⁸ Thus Bangladesh foreign policy on major international issues or crises would be influenced by Indian thinking and ideology. In a way, Bangladesh’s independence and self-identity became contingent upon Indian security, economic and other foreign policy interests.

Similarly, Article 10 emphasizes that the signatories “shall not undertake any commitment, secret or open, toward one or more States which may be incompatible with the present Treaty.”¹⁹ Clearly, the focus of the Bangladesh-India treaty is on military-security issues. It is the *raison d’être* of the treaty. According to Article 10 Bangladesh would be unable to enter into any type of security arrangements with other nations such as China, Pakistan or even the United States because it will be seen as incompatible to Indian security interests. As a complement to these military-security clauses, Article 5 calls for cooperation in “economic, scientific and technical fields” as well as providing each other the “most-favored nation” treatment. Article 6 calls for joint action in the fields of “flood control, river basin development...hydro-electric power and irrigation.”²⁰

As noted earlier, the Bangladesh-India Treaty provides a broad scope for bilateral relations calling for the promotion of “art, literature, education, culture, sports and health.” But the promotion of economic, technical and cultural relations between the two countries could have

been conducted through yearly trade and economic agreements. The importance of the Bangladesh-India friendship treaty lies in the fact that it is a long-term accord designed and intended for military-security purposes as the provisions of Article 8, 9, and 10 clearly show.

Many in Bangladesh, including Members of Parliament had raised in the past the bogey of secret treaties signed between Bangladesh and India during the independence war (march-december 1971). This article argues that the Bangladesh-India treaty is a very comprehensive accord and a wide number of measures can be initiated by the signatories through interpretation of its various terms and provisions and thus precludes the necessity of any secret military treaty or other clandestine agreements. Conversely it can be argued that if secret treaties did exist, now they have been subsumed under the present treaty.

The Treaty in a Global and Regional Perspective

In 1972, the treaty firmly aligned Bangladesh with the Indo-Soviet axis. Although Bangladesh did not enter into any treaty commitments with the Soviet Union, the former became strongly linked with the latter especially since India has signed a similar treaty with the Soviet Union in August 1971. The Bangladesh-India treaty is a photocopy of the Indo-Soviet treaty. For example, the Indo-Soviet treaty also pledges each party not to enter or participate in military alliances directed against the other, or to allow its territory to be used militarily for an attack against the other signatory. The parties also pledge to refrain from giving assistance to a third party involved in armed conflict with one of the signatories. In the event of attack or threat of attack upon one of the parties, mutual consultations are provided for to deal with it. And, finally each side pledges not to make commitments to third states incompatible with the treaty. Significantly, the Indo-Soviet treaty also covers secret as well as open commitments to third parties, reaffirms India’s “policy of nonalignment” and also includes the specific phrase “will not make any commitments that may be militarily detrimental to the other side.”²¹

Thus from the Soviet point of view it was not necessary to enter into any treaty commitments with Bangladesh. Moscow acquiesced to treat Bangladesh as falling into the Indian sphere of

influence. In doing so, Soviet strategic and political interests were not jeopardized in any way. Indeed, it is claimed that the Soviets “politely turned down an Indian suggestion in December 1971 that they (the Soviets) sign a treaty of peace and friendship with the newborn nation.”²² The reasons are not hard to find. After the war it was thought that the USSR would provide substantive economic and technical assistance greatly needed for the reconstruction of war-ravaged Bangladesh. Sheikh Mujibur Rahman’s visit to Moscow in March 1972 was to have yielded “the major share of a \$3,000 million reconstruction programme.”²³ But judged from the economic point of view, Mujib’s trip to Moscow was a dismal failure. The Soviet Union made no fresh aid commitments to Bangladesh but agreed to unblock the flow of aid previously negotiated with Pakistan. In return, Sheikh Mujib supported the Soviet position in Vietnam, the Middle East and Southern Africa and also appreciated Soviet initiatives in the United Nations and Eastern Europe. And going a step further, Mujib also agreed with Soviet leaders that the USSR was a true friend of Bangladesh, and obliquely referred to the United States and China as enemies, by noting in the Moscow Communiqué that the independence struggle had “revealed the true friends and foes of the Peoples Republic of Bangladesh as a new independent state.”²⁴ It was not Soviet policy to pay for something they could have for free.

The attitude was that since the Soviet Union had supported Bangladesh in 1971, the latter should now reciprocate by supporting Soviet policies, both global and regional. In fact, the Soviets had supported the Bangladesh independence struggle to further their own political and strategic interests in South Asia. The importance of Bangladesh to the USSR lay in the new nation’s role in Moscow’s larger strategic scheme for the South Asian subcontinent. The Soviet Union viewed Bangladesh as another potential link in the chain of states stretching from Afghanistan to Japan which it hoped to weld into a rigid anti-Chinese Asian Collective Security Pact. Although the Kremlin has denied that its collective security system will constitute a military alliance aimed at China, the proposal was floated by Brezhnev in June 1969 when the Sino-Soviet rift was very apparent and coincided with the onset of Soviet military pressure against the Peoples Republic of China.

Thus, the Bangladesh-India treaty among other things reinforced the Chinese view that Bangladesh was in a real sense the protégé of India and the Soviet Union. Surprisingly, however, the treaty did not seem to adversely affect American attitudes towards Bangladesh. The United States recognized Bangladesh on April 4, 1972, less than a month after the treaty was signed, and reaffirmed the intention of the U. S. government, “to develop friendly bilateral relations and be helpful as Bangladesh faces its immense task of relief and reconstruction.”²⁵

Soon the United States initiated a massive aid program to Bangladesh and became the single largest donor nation. A major interest of the United States was to check the preponderant influence of the Soviet Union in post 1971 Bangladesh and South Asia; and U.S. aid was to play “a significant role in arresting Soviet penetration of Bangladesh.”²⁶ The United States became the largest material force backing the Mujib government and her influence began to grow steadily in Bangladesh. Thus, neither the anti-Americanism of post-independence days nor the Bangladesh-India treaty were successful in arresting increasing American influence in Bangladesh. As time passed, the stars of India and the Soviet Union faded on Dhaka’s diplomatic horizon while that of the United States made a significant comeback.

The Treaty in Practice

In the last thirty years there have been many violations of the treaty, especially of its security and military clauses. Most of the violations occurred in the post-1975 period. Article 8 of the treaty refrains the parties from allowing “the use of its territory for committing any act that may cause military damage to or constitute a threat to the security of the other” party. But after the changeover of government in Bangladesh in August 1975, India did provide sanctuary and support to anti-Bangladesh forces. This had been reported in many international journals and newspapers:

Following the assassination of Sheikh Mujibur Rahman in August 1975, and the installation of anti-Indian governments in Dacca, substantial arms shipments were made clandestinely to the Shanti Bahini (the anti-Bangladesh insurgents in the Chittagong Hill Tracts). Their cadres were trained by men of the Indian Border Security Force along with supporters of another,

Bangladeshi insurgent group, the Kaderia Bahini,...

Indian arms and ammunition were sent in substantial quantities on two occasions, in November 1975 and later in March 1977. The fall of Prime Minister Mrs. Indira Gandhi in the 1977 Indian election and the installation of the Janata government meant an end to the arms supplies, . . . with the return to power of Mrs. Gandhi earlier this year [1980], there have been no indications of renewed support for the Bangladesh insurgents.²⁷

Thus the military and strategic “friendship” between the two countries envisaged in the Bangladesh-India treaty of 1972 evaporated in the post-1975 era and the trend continued during the Ziaur Rahman Regime (1975-81) and the Ershad era (1982-90). But the treaty was not abrogated and indeed the Bangladesh government of Khondakar Mustaque Ahmed in 1975 stressed its intention “to abide by all bilateral and international agreements,”²⁸ in order to assure India that the Bangladesh-India treaty entered into by Mujib would continue.

The promotion of “art, literature, education, culture, sports and health” laid down in Article 7, did not meet the great expectations of the signatories even during the period (1972-75) of cordial-entente between Bangladesh and India. The bright prospects of trade between the two countries have also been marred by two factors. One is the charge of large-scale smuggling of goods and commodities along the India-Bangladesh borders. The other is the chronic unequal balance of trade between the two countries. For example, in 1996-97, 16% of Bangladesh imports came from India, while only 1% of Dhaka’s exports went to India.²⁹ Some American and Indian analysts think that this trade imbalance can be eradicated by selling natural gas to India. India is hungry for gas and American oil companies would be willing to make the necessary investments if allowed to export Bangladesh gas to India. Gas exports to India has always been a sensitive issue. Even as early as 1979, this author heard President Ziaur Rahman voicing the possibility of selling gas to India in an exclusive seminar in Dhaka. Fierce opposition, both within the government and outside, nipped such thinking in the bud. More

recently, in the last three years, “Bangladesh has discovered major new gas reserves – some 16 trillion cubic feet – and more discoveries are expected.” When the Los Angeles Times asked prime minister Sheikh Hasina why her country is refusing to sell gas to India, she replied: “One of our few resources is gas. After fully meeting our domestic requirements and ensuring gas reserves for 50 years, the remaining surplus gas may be available for export. I don’t see a decision on export until elections, scheduled for next year [2001], are over.”³⁰ It is imperative that the two countries must design policies aimed at reducing the trade imbalance. But selling gas to India cannot be the only means of reducing the trade imbalance. Bangladesh should be able to export many other goods to India in order to have a diversified market.

Policy Recommendations

Bangladesh’s foreign relations with India ranks at the top of the agenda in order of importance when compared with other countries. Very few countries are more important than India. The prime minister or foreign minister of Bangladesh must make foreign policy decisions after choosing from a wide array of multiple advocacies. Those who follow the school of Political Realism will espouse the following policy prescriptions:

- The primary obligation of Bangladesh, a goal to which all other national objectives should be subordinated, is to promote its national interest. But who defines the national interest? The Awami League’s definition of the national interest would be quite different from the national interest defined by the Islamic fundamentalist political parties.
- In order to promote the national interest, Bangladesh must acquire sufficient national power.
- Because of the anarchical nature of the international system, Bangladesh must acquire sufficient military capabilities to deter attack by potential enemies. But today there has been a revolution in military affairs. In the 21st century Bangladesh must emphasize and learn high-tech warfare and model its army accordingly. If the Bangladesh military

remains in the WWII model it would not be able to defend the nation and would be a waste of the taxpayers money.

- While Bangladesh may acquire allies in order to increase the state's ability to defend itself, the loyalty and reliability of its friends and allies cannot be taken for granted.
- Bangladesh cannot rely for its defense on international organizations such as the United Nations. In the same way, it cannot rely on International Law or world public opinion to safeguard its borders.
- The Realist in Bangladesh would see India as a "strategic competitor." It will seek to achieve minimum deterrence against an Indian attack or invasion. Some of the rightist Muslim religious parties obviously see India in this light. But it is possible to seek a policy of cooperation even with a strategic competitor. The Clinton Administration followed a policy of "strategic engagement" with China. In the last ten years, US-China trade has increased from near zero to more than 110 billion dollars today. China thus cannot afford to lose this huge American market and must behave cooperatively, thought Clinton. On the other hand, the conservative Republicans would like George Bush to treat China the way the US treated the Soviet Union during the Cold War. That is to follow a policy of "Containment" towards China. In this light, India-Bangladesh relations should espouse a policy of engagement and not containment. Unfortunately however India-Bangladesh trade is at a very low level. To have a policy of engagement, trade and economic relations between the two countries must increase.
- One kind of policy would be called "Finlandization." It is useful to recall that the Soviet Union attacked Finland in 1939. Finland put up a pretty good fight. But after World War II the USSR emerged as a superpower and the Red Army was too large for Finland to handle. Thus throughout the Cold War,

Finland took great pains not to do anything that might annoy its giant neighbor. It never joined NATO, the military arm of the West designed to counter the USSR.

- On the other hand, although Switzerland follows a policy of "Neutrality" in international relations, it retains an effective and potent military force. It is interesting to note that immediately after independence, Sheikh Mujib wanted to make Bangladesh a "Switzerland of the East." If Mujib was talking in military terms, then it probably meant deterrence. If he was talking in economic terms, then it was wildly ambitious. If he was talking in a foreign policy sense, then it meant staying neutral, and not getting involved in entangling alliances.
- Vietnam is another model for the Realist. It also has a huge neighbor, China, to contend with. Indeed, there have been Sino-Vietnam tensions for a thousand years. In 1979, China sought to teach Vietnam a lesson. The result was war. However, Vietnam put up very strong resistance against the Chinese Army, the PLA. Later, China withdrew unilaterally. I do not think that Bangladesh can afford to follow the Vietnam model. And it is also unlikely that India, which is a democracy, would seek to teach democratic Bangladesh a lesson through warfare.
- Probably the Canada model is too much to hope for. The whole US-Canada border is demilitarized. There are no military forces along this long border. Neither are there any fences to keep each other out. Canadian and American citizens can freely visit each other without any hindrance or visa or even passport. It would be ideal if Bangladesh and Indian citizens could do the same. If the Bangladesh economy ever becomes better than the Indian economy, it may be possible. Thus Bangladesh should aspire to achieve at least the level of economic productivity of India or better.

- In the unlikely event that Bangladesh suddenly becomes rich, say due to huge oil and gas discoveries, it will face a different security problem. Because Bangladesh is a poor nation with a huge population of 130 million, it serves as a deterrent to the would-be invader. There is nothing to plunder while there would be a very high cost of maintaining the occupation militarily. Huge oil and gas deposits may change that equation. But we should cross that bridge when we get there.
- France and Germany provides another model. Germany has always been a security concern for France, starting with the Franco-Prussian War in 1870, WWI and ending with World War II. The Schuman Plan was devised by the French foreign minister and sought to integrate the two economies in such a way that war would seem unthinkable and tremendously costly. Unfortunately, the neighboring areas of Bangladesh are not very attractive economically. While Mexico gained hugely by joining US-sponsored NAFTA and France was attracted toward Germany, it is difficult to envision Bangladesh being attracted to Tripura, Meghalaya, Assam and even West Bengal. There was a time when West Bengal was the most industrialized state of India and Bangladesh was its hinterland. But that was then and this is now. No thanks to the Naxalites, West Bengal has fallen behind, and other states of India like Punjab, Haryana and Maharashtra have taken the lead. On the other hand, the Assamese don't much like the Bengalis. Riots and massacres are not totally a thing of the past. Thus economic integration with its immediate neighbors seems unlikely. Even the other neighbor Myanmar has become an international pariah and is subject to all kinds of sanctions from the major economic powers.
- It must avoid any bilateral or multilateral military alliances. Thus, the Idealist would not favor the 1972 Friendship Treaty with India.
- It must take an active role in regional organizations such as the SAARC (South Asian Association for Regional Cooperation). However, the SAARC has not been very successful at the economic level, not to mention its lack of success at the political, military and strategic levels.
- Bangladesh must play a strong role in the United Nations. It may use the UN for dispute settlement Indo-Bangladesh relations.
- Bangladesh would be in favor of free international trade. It would call for the establishment of a free-trade area with her neighboring countries.
- Bangladesh would be in favor of Globalization that will allow the free flow of labor, in addition to the free flow of goods and services.
- Bangladesh cannot afford or agree to quasi-globalization that espouses only the free flow of manufactured goods across state boundaries. That will cause massive unemployment and loss of local industries. Bangladesh laborers must be able to find jobs in other countries, both regionally and internationally. The building of a fence by India on the border of Bangladesh runs counter to this policy of the free movement of people.
- Like India has done on its Bangladesh border, the US has also built a fence on their Mexican border. The idea is to stop illegal aliens from Mexico crossing onto the American side. But at the same time, the US has historically had many legal programs that allowed Mexican workers to work in America and then go back to Mexico. Every year the US gives legal residency to almost one million people from all over the world, many of whom are Mexican citizens. The first country that President George

From another perspective, those who call themselves Idealists will put forward a different set of policies for Bangladesh:

- Bangladesh must espouse international and regional cooperation.

Bush visited was Mexico. Mexican President Vicente Fox has asked the US to come up with innovative programs so that some Mexican citizens can legally work in America. In the same way, Bangladesh can ask for India to allow some kind of visa program, whether temporary or permanent, that will allow some portion of Bangladesh labor force to work in India.

- But the best solution is to work together to improve each other's economy. Because of Mexico joining NAFTA (North American Free Trade Agreement), her economy has improved remarkably. At present, Mexican exports to the US is growing strongly. If there are jobs in Mexico, then there will be little or no flow of illegal aliens to the US. In the same way, if the Bangladesh economy is healthy and can provide jobs to its citizens, then there can be no question of Bangladesh labor-flow to India. The building of a fence on the border and the harassment of Bangladesh laborers within India are counter-productive to the healthy and peaceful development of India-Bangladesh relations.
- The Idealist will also be against economic nationalism and protectionism. But because Bangladesh is a least developed country, it must get long-term relief to safeguard her infant industries, such as the garment factories. It is in this line that Prime Minister Sheikh Hasina said: "I urged Clinton to grant Bangladeshi products duty-free and quota-free access to the United States. In recognition of Bangladesh's leading role in eliminating child labor from the garment industry, it should have been rewarded much earlier."³¹ Bangladesh garment industry will face increasing competition from India and China, among others.
- The Idealist in Bangladesh will also espouse regional identity. For example, while Hitler wanted German-dominated Europe, today we are seeing a Europe-dominated Germany. In other words, Germans are becoming Europeans. In

the same way, Indians and Bangladeshis and Pakistanis should become South Asians. Instead of an Indian sub-continent we should have a South Asian sub-continent. Just like Germany is sharing power and leadership within the European Union, India must do the same within South Asia. Indian nationalism and hegemony must give way to internationalism and good neighborliness.

- Bangladesh should also emphasize shared democratic values with India. Indeed, Immanuel Kant in his book *Perpetual Peace* (1795) noted that no two democracies would go to war with each other. Thus, one goal should be the building of enduring and deep-rooted democratic structures in both India and Bangladesh.

Conclusion

In Bangladesh there have been much criticism against the treaty with India. The issue was also mentioned in the Parliament by a few opposition members. The question that is often asked is whether the treaty benefits Bangladesh and if not, why should Bangladesh still adhere to it? Article 11 notes that the "present treaty is signed for a term of twenty five years" and "subject to renewal by mutual agreement." Therefore the treaty was supposed to expire in 1997 unless renewed. Under these circumstances if the Bangladesh government unilaterally declares the treaty null and void, or refuses to renew it, that might create some concern in the minds of Indian foreign policy decision-makers. It will also have other implications. For example, having reneged on one international commitment, doubts will be cast on Bangladesh's credibility, that is, on her willingness and ability to live up to other international commitments. In the sphere of foreign policy, it is sometimes better to hold a position of strategic ambiguity than to be blunt and clear.

The geopolitical realities of Bangladesh are such that it can hope to benefit little by initiating an inimical relationship with India. The unilateral abrogation of the treaty by Bangladesh will have serious repercussions on Indo-Bangladesh relations and which is not desirable for either

country. In the decade of the 70s, Bangladesh has been able to execute an independent foreign policy without violating the terms of the treaty in any way. In the 90s with the end of the Cold War and the breakup of the Soviet Union, the global alliance-system has dramatically changed. But India is still friendly with Russia in spite of initiating market reforms since 1991. The Sino-Indian geopolitical realities have sharpened since the nuclear tests conducted by India in May 1998. In reaction, the nuclear tests of Pakistan in the same month has made South Asia “the most dangerous place in the world,” according to former American President Bill Clinton. Although the Cold War is over in the world, in South Asia it lingers and often escalates into a shooting war in a limited or regional scale. And Bangladesh is caught in the middle of it all, requiring brilliant diplomacy and artful negotiation in order to maneuver and survive. In the 21st century it has to rethink its policies towards South Asia and try to steer a safe course in increasingly dangerous waters.

Endnotes

¹ Although the United States was not a member of CENTO (Central Treaty Organization), she had bilateral military understanding with all CENTO members.

² Quoted in Talukder Maniruzzaman, “Bangladesh in 1975: The Fall of the Mujib Regime and its Aftermath”, Asian Survey, Vol. 16, No. 2, February 1976, p.122.

³ Bangladesh: Contemporary events and documents, 1971. Bangladesh: Ministry of Foreign Affairs, External Publicity Division, 1971.

⁴ Ibid., emphasis mine.

⁵ C.I.E. Kim and Lawrence Ziring, An Introduction to Asian Politics (Englewood Cliff, N. J.: Prentice Hall, 1977), p.235

⁶ Maniruzzaman 1976, p.119.

⁷ George Liska, Nations in Alliance, (Baltimore, 1962), p.13

⁸ Pran Chopra, “Bangladesh in Search of a Role”, India Quarterly, Vol. 28, No. 2, 1972, p.119.

⁹ Ibid.

¹⁰ Speech of the Permanent Representative of the Peoples Republic of China, Huang Hua on December 5, 1971.

¹¹ Ibid., December 16, 1971

¹² Henry Kissinger, The White House Years (Boston, Little Brown, 1979).

¹³ Based on my personal experiences and discussions with other Mukti Bahini guerrilla leaders.

¹⁴ Bhabani Sen Gupta, “Moscow and Bangladesh”, Problems of Communism, March-April 1975, Vol. 24, p.62.

¹⁵ J. D. Singer and Melvin Small, “Alliance Aggregation and the Onset of War, 1815-1945” in J. D. Singer (ed.) Quantitative International Politics: Insights and Evidence, (New York, 1968), p.266.

¹⁶ See the “Treaty of Friendship, Cooperation and Peace Between the Peoples Republic of Bangladesh and the Republic of India?”, Bangladesh Documents (Dacca), Vol. 1, No. 2, pp.8-9.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ See the “Treaty of Friendship, Cooperation and Peace between the Republic of India and the Union of Soviet Socialist Republics.”

²² Cited in Sen Gupta 1975, p.61.

²³ Cited in Wayne A. Wilcox, The Emergence of Bangladesh, (Washington, D.C.: A.E.I., 1973), p.61.

²⁴ Asian Recorder, Vol. 18, No. 13, 1972, p.10682.

²⁵ Keesings Archives, 1971-72, p.25196.

²⁶ G. W. Choudhury, "Moscow's Influence in the Indian Sub-continent", The World Today (London, July 1972), p.311.

²⁷ F.E.E.R. Asia Yearbook 1981.

²⁸ Maniruzzaman 1976, p.126.

²⁹ The Europa World Yearbook 1999 (London: Europa Publications, 1999), p. 567.

³⁰ "Sheikha Hasina: Bangladesh Leader Aims to Make Nation More Than a Symbol of Poverty." Los Angeles Times Interview, December 3, 2000. p. M3.

³¹ Ibid.

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