

Teim



TEIM Election Watch Analysis

ELECTORAL REPORT:

BANGLADESH/ Parliamentary elections
29 December 2008

Ana Ballesteros Peiró

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Background to the elections:

Bangladesh finally succeeded in holding its ninth parliamentary elections in 2008, almost two years after they were cancelled. On 11 January 2007, the army replaced the Caretaker Government¹ (CG) and declared a state of emergency, due to on-going street riots.

Before the 2007 elections, the Bangladesh Nationalist Party (BNP), at that time the party in power, cumulated in the person of Iajuddin Ahmed (President from 2002-2009, former member of the BNP) the powers of Chief Advisor of the CG with those of President of Bangladesh, decisions it made without consulting the other parties. An attempt was also made to change the legislation so that a judge friendly to the BNP would be at the head of the CG. This was seen by the opposition Awami League as an attempt at manipulation, which when combined with the presentation of electoral rolls with more than 12 million fake names, led them to boycott the elections. A series of street protests started up that left 50 dead and dozens wounded.

Given the history of conflict surrounding elections in Bangladesh and the escalation of violence, the army decided to intervene. Ahmed was given three options: 1) put an end to the electoral fraud; 2) declare Martial Law;² and 3) declare a state of emergency and postpone the elections. In view of his indecision, the army chose the third option.

For the elections to take place after two years of caretaker government and supposed institutional and anti-corruption reforms, as well as reforms of the electoral laws in the country, the CG allowed the two most popular leaders, Khaleda Zia (BNP) and Sheikh Hasina (AL), to participate in the elections, despite the fact that they were on trial for corruption. In fact, the Election Commission had to postpone the elections once before Khaleda could participate.

Quantitative indices of democracy:

Bangladesh was classified in the following democratic performance rankings just before these elections:

¹ The Constitution of Bangladesh establishes that a Caretaker Government (CG) must replace the departing government for three months before an election. This government must ensure that the elections are fair, clean and peaceful. The composition of the CG must be neutral and is determined by a consensus of all of the parties. However, the parties use this regulation to attack each other. Chapter IIA of the Constitution of Bangladesh was added in the 13th Amendment in 1996.

² This option is not valid, since the Constitution of Bangladesh does not include it.

Measurement	Name and year of report or database	Institution	Index	Points, ranking and classification
Political rights and freedom	Freedom House Report 2008	Freedom House (FH)	PR: political rights CL: civil liberties	PR: 5, CL: 4 (Scale of 1, free to 7, not free) Classification: Partly free
Degree of democracy in earlier elections	Polyarchy 2.0 2003	Peace Research Institute of Oslo and Tatu Vanhanen	ID: Synthetic democracy index, Part: participation, Comp: competition	ID: 17.32, max. 49 Part: 43.3, max. 70 Comp: 40, max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) Classification: democratic
Consolidation of authoritarian and democratic institutions	Polity IV 2007	Center for International Development and Conflict Management, Univ. of Maryland	Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both	Democracy: 6 Autocracy: 0 Polity: 6 (Scale of +10, very democratic to -10, very authoritarian) Classification: democratic
Perception of corruption	Transparency International Corruption Perception Index 2008	Transparency International (TI)	TICPI: corruption perceptions index	TCPI: 2.1 points out of 10, (Scale of 1, very corrupt to 10, not at all corrupt) Rank: 147 out of 180 countries
Management of political and economic change	Bertelsmann Transformation Index (BTI) 2008	Bertelsmann Foundation	MI: Management Index, quality of transformation management	MI: 4.14 points out of 10, Rank: 93 out of 126 countries Classification: Management with moderate success
Democracy, including press status and corruption	World Democracy Audit Oct. 2008	World Audit	World Democracy Rank: political freedom (FH) + press and corruption (TI)	World Democracy Ranking: 119 out of 150 countries, division 4 out of 4

The election(s) analysed in this profile produced the following electoral democracy quantitative results:

Degree of democracy in these elections	Measurement of democracy in these elections according to the Polyarchy 2.0 2008 index, calculated by TEIM Election Watch	ID: 6.96, max. 49 Part: 55.03 ³ max. 70 Comp: 10.66 ⁴ max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30)	Classification of the elections: not democratic
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³Participation was calculated out of a participation of 81,058,698 voters and an estimated population of 147,285,000 inhabitants in 2008, according to the Population Reference Bureau (<http://www.prb.org>, Washington).

⁴ Competition was calculated by adding the seats won by the governmental opposition coalition parties, led by the BNP and similar groups.

Definition of the political system:

Bangladesh is a federal republic with a semi-presidential system, in which the military has a strong influence.

Definition of the electoral system and parties:

The country uses a first-past-the-post (FPTP) system, in which members are directly elected by simple majority vote in single-member constituencies (simple majority system). The winning candidate is the one who receives the most votes. Uninominal districts are used and the voters elect the candidates, more than the parties that they represent.

The country has a multi-party system with two dominant parties, the Awami League or National League (AL), which is the party that won independence from Pakistan – ‘national liberation’ – for the nation in 1971, whose leader is Sheikh Hasina. It is considered to be secular and pro-India. The other large party is the Bangladesh Nationalist Party (BNP), led by another woman, Khaleda Zia. It is of a rightist, pro-Islamist and anti-India persuasion.

Impact of the electoral process and size of the constituency on the elections:

The FPTP system means that often, as noted above, voters vote more for the individual than for the party they represent. In the case of the two main parties in Bangladesh, which together receive the most votes, the situation is different. The BNP electorate usually votes for individuals more than for the party itself, which means that the choice of the right candidate for the constituency is critical for the leadership of this party. The voters who back the AL, on the other hand, are more loyal to the party and its ideology, and usually vote for the party, regardless of the person who represents it in each constituency. This affects the pre-election behaviour of each of the parties and means that the game of choosing candidates and local alliances is fundamental if seats are going to be won.

Likewise, legislation in Bangladesh requires that constituencies be redistricted after every census,⁵ but no redistricting has been carried out since that which took place following the 2001 census. 101 of the 345 seats in the country are considered swing seats.⁶ The design of the constituencies, therefore, is directly related to the results. The biggest problem is that the divisions made do not coincide with the population densities, which is essential in a country as densely – albeit irregularly – populated as Bangladesh.

⁵ According to the 1976 regulation on redistricting constituencies.

⁶ A seat is considered a swing seat when the margin of victory is 20% or less of the vote. ICG, Report 151, 28 April 2008, page 14. The debate on this issue can be read on the webpage of the National Democratic Institute: “Proposal Summary: Poll-Level Electoral Return Map” by Owen Lippert.

Results:

Official participation was around 87%. There were 81,058,698 registered voters in the 35,268 electoral colleges, of which 50.87% were women and 49.13% men, to choose from a total of 1,555 candidates from 38 registered parties, in addition to 148 independents. However, at least 3 million young people who had just reached voting age (18 years old) were not included, since they could not register before the deadline (1 January 2008).

Seats in parliament by party:⁷

Parties	No. seats	%
Awami League (AL)	230	76.67
Jatiya Party (JP)	27	9.00
Other ⁸	5	1.67
Bangladesh Nationalist Party (BNP)	29	9.67
Jamaat e-Islami (JI)	2	0.67
Other	1	0.33
Independents	5	1.66
Total	300⁹	100,00

Qualitative analysis of the elections:

Participation:

Participation was quite high, as the opinion polls predicted. At 87% it was a record in the history of Bangladesh. However, participation is usually high, as the Bangladeshis are very active citizens who are well-informed about politics. With the exception of the 15 February 1996 elections, when a boycott decreased turnout to 26.54%, participation is generally high, as reflected by the 2001 elections when it reached 75.59% and the 12 June 1996 elections, which recorded 74.96%.

This year, for the first time, the AL included minorities – who are usually ignored and attacked – in its platform and its campaign. Hindus and other minority groups have been subject to attacks and intimidation during earlier elections, either to stop them from voting or to force them to vote for a specific candidate. The fact that they were included in the election this time helped to mobilise this group. The Hindu population constitutes around 10% of the total,¹⁰ while there are an estimated 100,000 Ahmadiyya Muslims.

Competition:

The Caretaker Government did everything in its power to ensure that all the parties would participate in the elections and they would be considered legitimate. Given the dominant nature of the main parties and the disproportionate prominence of the two main leaders (Hasina and Zia), their exclusion from the elections would have created conflict. However, there is an

⁷ Election watch table made from data from the newspaper, The Daily Star, 6 January 2009.

⁸ Red represents the winning coalition around the AL; blue is the opposition coalition around the BNP. The independent candidates are in green and one seat remained to be decided at the time that this table was made.

⁹ 300 seats are chosen by direct suffrage in Bangladesh. The remaining 45 are reserved for women and are assigned according to the percentage won by each party.

¹⁰ According to the 2001 census. ICG Report 121, 23 October 2006, p. 13.

anti-corruption campaign underway and the Election Commission has the power to reject any candidates with criminal charges pending. The fact that the candidacies of lower-level politicians were rejected but that the hegemony of the leadership of these two women was not challenged did nothing to contribute to the reform and credibility of the Bangladeshi political system. A first attempt was made to force them into exile. As this was impossible, they were jailed, but in the end they were allowed to participate in the elections, despite their reputation for being corrupt and totalitarian.

The BNP had the highest number of rejected candidacies. As the party in power before the state of emergency, it had accumulated too much power and goods at a time when corruption was spiralling out of control.¹¹ For the first time, candidates were asked to show that they had no legal charges pending, and had to answer other petitions that sought to eliminate undesirable people from public life. However, the presentation and acceptance of the candidacies was rather chaotic, and they were not always accepted or denied on the basis of the established regulations.

Transparency:

The Caretaker Government was faced with the difficulty of having to work under the suspension of constitutional liberties in a state of emergency. Preparation for the elections included the reconstitution of the Election Commission, electoral reforms, the preparation of new voter rolls, the redistricting of the constituencies and holding the elections within a deadline.

Most significantly, an effort was made to create more reliable electronic voter rolls that would prevent the protests that arose in January 2007 from occurring this time. However, there was still some confusion regarding the validity or lack thereof of identity cards, which had photographs, and voter registration cards, which did not. At times, one or the other was requested, at times both, and nobody seemed to agree on what the rule was. Similarly, attempts at vote buying were uncovered, especially by members of the BNP. Many names were also found to be missing from the rolls and some people were registered as living in two places at the same time, making them eligible to vote in both.

An attempt was made to keep the institutions as neutral as possible, one of the biggest problems with Bangladeshi legislation. There was a requirement that the Election Commission be independent, something new in these elections (previously, the acting government appointed the positions). In November 2007, a reform was approved to separate the judicial and legislative powers. However, Iajuddin Ahmed continued as the country's president, despite the fact that his term ended in September 2007. The truth is that many real changes still remain to be made in the country's institutions to guarantee the correct operation of the electoral process and democratisation.

Party representation and debate during the election:

The election debate was quite limited due to the state of emergency. The fundamental articles of the constitution, including freedom of association, were not re-established until the state of emergency was lifted, limiting the debate to the 18 days that the campaign lasted (it ended two days before election day).

¹¹ Bangladesh has been ranked at the bottom of the list of most corrupt countries twice, according to Transparency International – once in 2001, after the AL government and the second time in 2006, after the BNP government.

The two leaders campaigned differently. Zia travelled the country more energetically, while Hasina, due to threats against her from radical groups,¹² made fewer tours of the country, but used new technologies to connect with the people in several areas.¹³ The peaceful nature of the campaign was noteworthy, although there were some exceptions.

The media played a key role in providing the parties with coverage and information on the elections. Both television and the printed press offered criticism and held debates relating to the elections.

Openness:

It was foreseeable that one of the two main parties would win the elections, and the balance swung in favour of the Awami League. The conspicuous support mobilised by this party against the BNP's electoral manipulation in 2006 led to an increase of its prestige, as that of Khaleda Zia and her family decreased.¹⁴ This made it possible to predict that triumph would go to the party of national liberation. What was not foreseeable was the extremely high number of seats won by the League, which surprised everyone. It also meant at first – in line with the country's tradition of denying unexpected victories and crying 'it was rigged!' – that Khaleda publicly declared that there had been fraud and did not accept the results (also very common in Bangladeshi politics).

Furthermore, those who predicted an increase in Islamism in the country's politics witnessed the rejection of this option once again at the ballot boxes, as the most important Islamist party in the country, Jamaat-e-Islami (JI) won the fewest number of seats in its history, only two.¹⁵

Significance:

These elections were significant because of the importance inherent in the change from military control to civilian control for the third time in Bangladesh's history. The country was looking too much like Pakistan in this respect, and many feared that the army was growing used to power and would end up looking for any excuse to retain it through the Caretaker Government.¹⁶ However, the army paid for its incursion into politics with a loss of prestige. By adhering to the date of the elections and deploying troops to guarantee their safety, it confirmed its intention to return to barracks, take up its traditional role again and leave politics behind.

Consequences and impact on the political system:

Some 25,000 international observers attended these elections from bodies including the Commonwealth, the International Republican Institute and the European Union, which sent an observation mission. The EU's final report considered these elections a success, especially because of the peaceful

¹² Sheikh Hasina has survived three terrorist attacks against her. One of them resulted in the death of 22 members of her party at an election rally in 2004.

¹³ The Daily Star, 22 December 2008.

¹⁴ During the campaign, charges of money laundering made against Zia's youngest son, Koko, were confirmed, while her eldest son is known for nepotism and his March 2007 arrest for extortion.

¹⁵ It won 18 seats in 2006.

¹⁶ Which, on another note, included a significant number of army members.

atmosphere in which they took place. They were also deemed credible, combining international standards of openness and justice.

There was almost no international political reaction. Bangladesh is not a country with international economic or political clout and this was reflected in the international press. However, it seems that the United States plans to include this country in its attempts to balance security in the southern Asian region. For her part, Sheikh Hasina has tried to draw the attention of the world, and especially the United States, by saying that the country could be an ally in the war on terrorism. Playing this card to obtain alliances and investment in a very precarious economy seems to be the only option.

Given the triumph of the AL, a traditionally pro-India party, good communication links are expected to be established with neighbouring India, in detriment to its relationship with Pakistan (more allied with the political opposition, the staunchly anti-India BNP).

Conclusions

The overwhelming victory of the Awami League to the detriment of the opposition BNP was a surprise. Likewise, the reaction of the losers and their allies was anxiously awaited, in view of the violent history of elections in this country. It seems that the discourse of the secular state and reform prevailed, in addition to the AL's campaign which addressed the people's concerns, such as inflation, unemployment, public safety and the provision of needed basic services. However, the secular nature of the discourse was contrasted with clear pious and religious practices, with the AL leader using prayer and religion demagogically. On the other hand, the BNP's failure can be considered a failure of the politics of confrontation, protest and the use of religion for political purposes. These elections were conducted in a peaceful manner, which is a step forward and a positive aspect compared to past elections in the country.

It will be necessary to continue the many reforms begun by the Caretaker Government, but this time successfully, and the parties must promote debate and internal democracy. The Bangladeshi government must be participative and the opposition legitimate and peaceful. The earlier course of calling for strikes, boycotts and continuous demonstrations that interrupt daily life, harm the country's stability and economy and damage the image of democracy and political parties in Bangladesh cannot continue.

Reference to another Internet analysis of this election:

European Union: Election Observation Mission to Bangladesh 2008:
<http://www.eueombangladesh.org/EN/default.html>