



Introduction¹

After two years of a military-backed Caretaker Government, in December 2008 Bangladesh held the most free and fair election since the reintroduction of parliamentary democracy in 1991. The successful election brought Bangladesh back from the brink of a potentially violent political crisis that was threatened two years earlier.

However, although elections in Bangladesh work well as selection mechanisms, insofar as no government that has been perceived as poorly-performing has ever been re-elected, as accountability mechanisms they appear weak. Elections have so far shown few signs of leading to the improved governance which citizens appear to want. Thus governance has for a long time been characterised by violence, intimidation, corruption and patronage. Whether or not the new administration will pose a genuine challenge to these trends, remains to be seen.

Background

Bangladesh has spent long periods under military rule, whether from 1947 to 1971 (when Bangladesh was part of Pakistan), or from 1975 to 1991, periods when the institutions of democracy were not being developed. For the past 18 years, the two main political parties, in coalition with junior partners, have competed for power via the electoral process. Dynastic and personal elements exacerbate the tension, with the two main parties, the Bangladesh National Party (BNP) and the Awami League (AL) being led by respectively the widow and daughter of former national leaders.

¹ This brief is adapted from 'Good election, bad politics: a case study of elections and the role of the international community in Bangladesh', by Alex Duncan, Susan Loughhead and Jeremy Eckstein, June 2009.

In 1996, Bangladesh introduced a constitutional amendment under which for a 90-day period preceding a national election, a Caretaker Government (CTG) would be installed in order to level the electoral playing field and limit the powers of the incumbent government to manipulate elections. This worked relatively well for the 1996 and 2001 elections. However, in the run up to the postponed January 2007 elections, there was a rise in political patronage of violent groups – both extremist and criminal in nature – and general civil unrest, driven by both major parties. This increasing fragility led to the declaration of a state of emergency, the cancellation of the election, and the installation of a Caretaker Government, backed by the military. A new, and credible, Election Commission (BEC) was set up, and an Electoral Roadmap preparing the way for elections at the end of 2008 was issued. Vigorous reforms followed in many areas.

The demand for democratic politics and political participation among the population is strong, despite the extremely high levels of poverty and illiteracy. Yet this tradition of activism sits oddly with the all-encompassing system of patronage that is bound up with the struggle for political power. Party competition in Bangladesh cuts across almost all institutions of society and the economy, and the electoral victory of one party or the other causes a realignment of power in society, resulting in very intense elections. The reliance of many people on a particular party creates powerful patronage links that are hard to break even for those who might wish to do so. As a result, elections reflect, rather than drive, political forces, realities and outcomes.

Elections

The election of December 2008 was a major success. First, for Bangladesh's political institutions because it demonstrated that they could oversee a peaceful transition of power from one government to another without the violence that had accompanied such changes in the past. Second, for the Bangladesh political elite, who witnessed a return to traditional party politics, and for ordinary citizens, many of whom voted for the first time in their lives – the turnout was over 86% – indeed, more women than men actually voted in this election. Third, for the robustness of the election system itself in that some known corrupt individuals were either not re-elected or saw their previous majority slashed. And finally, for the international community who had invested so much in supporting a free and fair electoral process. Election Observation reports affirmed that the election broadly met international standards. A clear 'election road map', coupled with the establishment of a truly independent Election Commission (BEC), were key factors in this success.

Owing to the aggressive and successful reform of the electoral process by the Election Commission, a new voter register was created based on an exemplary voter registration process that began in June 2007, and gave the Commission high credibility. By election time, eighty-one million voters were registered to a high degree of accuracy. The Commission also introduced Ordinances reforming party rules.

The outcome of the 9th Parliamentary election was a landslide victory for the AL, which won 230 seats to the BNP's 29 seats in the 300 seat assembly. Eighteen women, including the two party leaders entered parliament through this route. An additional 45 women entered parliament through party nominations after the election, in accordance with the Constitution.

International donor support and lessons learnt

The international community played a pivotal role, if secondary to domestic factors, first in ensuring that the election took place, and second in supporting the election roadmap. Its role underlines the important inter-relationship of diplomatic and technical support before, during and after elections. The diversity of forms of international assistance, financial, technical, and diplomatic/political, and the inter-linkages between different elements, was one reason for the overall effectiveness of support for the 2008 election.

Up to and including the time the State of Emergency was declared in January 2007, donor engagement had been limited. The decision to withdraw international monitors just before the election marked a watershed, signalling that the international community would be unlikely to endorse the legitimacy of the party that won the election. However, once the CTG was formed, the diplomatic community revived political and technical engagement.

On the political level, the international community provided opportunities for leaders to meet and discuss obstacles; for example, six UK Ministers visited Bangladesh during the period of the CTG. Political support was complemented by an estimated \$100 million aid package, which combined sustained technical engagement with flexible support. Major players included UNDP, whose ten-year involvement had built up relationships with Election Commission staff. Similar lessons had been learned by National Democratic Institute and International Republican Institute in their USAID-funded work on political party reform. The long history of The Asia Foundation (TAF) in working with a broad range of civil society actors allowed it effectively to build synergies across support programmes. The BBC provided high-quality broadcast political debates.

Two basket funds were set up, one managed by TAF, focussing on domestic election observation by the NGO Election Working Group (EWG), and on the registration of excluded groups, and the other, managed by UNDP, included the major Preparation of the Electoral Roll with Photographs programme (PERP). Scenario planning and risk analyses helped ensure that the support given was on track, relevant and useful.

Donors have commissioned reviews of individual programmes, providing an indication that overall the support was effective and UNDP has commissioned a review of the basket to assess the collective effort². The PERP programme, assisting the voters' register, emerged as the most critical programme, and was highly successful, the challenges being met through a collective effort involving the army, civil servants, civil society, and the international community. The National Election Programme (NEP), supported by various donors, is also judged to have been effective, supporting 135,000 domestic election monitors. There were also 360 international observers. Assessing the BBC's media work, a survey found that 18 to 21 million Bangladeshis watched the mayoral debates, of which 90% stated that the debates would have an impact on their voting. In hindsight, some donors believe some vital opportunities for engagement were missed, for instance with the Anti-Corruption Commission, and with political parties.

In important respects the international support for the election followed good practice in making aid effective. First, external partners respected local Bangladeshi ownership of the process, and this ownership was broader than just government. Second, the efforts of the donors were aligned with, and built up, local systems (the Election Commission, the

² At the time of publication, this review was not yet publicly available.

non-governmental EWG, and private broadcasters) but, justifiably, government procurement systems were not generally employed. Third, donor harmonisation, primarily through the Local Consultative Group (LCG), worked well, because of high-level determination to succeed.

Looking ahead

Despite the success of the 2008 elections, the weight of informed opinion suggests that in many respects the signs are that the political 'rules of the game' are in the process of reverting to previous patterns: the respected head of the Anti-Corruption Commission (ACC) resigned less than five months after the election, and a Parliamentary Committee wishes to investigate the ACC but awaits enabling legislation to do so; there is pressure against those party members who collaborated with the CTG; moreover, the animosity between the two leaders continues unabated. But it is too early to say whether the reversion will be complete.

On the positive side, the Election Commission is robust, at least during the tenure of the present Commissioners. There are encouraging signs that they are enabling democratic processes through political party registration. The main challenge will be the peaceful transition of the Election Commission when the current commissioners stand down in 2012. DFID's recent scenario planning concludes that the most likely future scenario for elections governance is 'uncertainty', with some reform, but little overall immediate change to dysfunctional politics, though there may be signs of changes at the grassroots, for instance in voter behaviour; it is encouraging that the experience of the past two years has reaffirmed that democratic politics will have to form part of any enduring political settlement.

Although commendable for its depth, the intensity of the donors' focus on the election itself runs the risk that they will overlook what will come after it, and any role that they might play in the aftermath. The relative lack of attention to the 2009 Upazila elections reflects another risk, namely that not enough attention will be paid to local politics.

The question arises of what are the strategic priorities for supporting elections in Bangladesh: such support needs to be in the context of wider support to democratic governance; a broad view needs to be taken of the time-scale and of the range of partners and the levels of the processes with which to engage; and support to the Election Commission is an immediate and enduring priority. The reach of electoral support might also usefully extend beyond those parties already identified, parliament, political parties, the Election Commission, and civil society at national and local levels, to cover local councillors too, as well as include a specific focus on women and other disadvantaged groups.