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Free and fair UP elections 2016 - Are we there yet?

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Much debate has been brewing in the media and in political forums about the on-going Union Parishad (UP) elections. The primary concerns for many have been the uncontested victories of a number of UP chairmen, allegations of electoral irregularities and a rise in the incidence of violence during the election. The Election Commission (EC) has planned elections in 4,275 UPs out of 4,546 in six phases within this year. The first four phases of elections were held from March 22 to May 7, 2016. In these phases, 151 chairmen in 2,673 UPs (i.e. 6 percent) were elected unopposed, and at least 65 people were killed. The situation was vastly different during the first phase of UP elections in 2011. Aside from a few sporadic cases of violence, no deaths were reported during the six days in which the elections took place. Further, no chairman was elected unopposed, and the overall election process was reported to be peaceful and acceptable. The most significant difference between the 2011 and 2016 UP elections is the party-based system, in which the candidates are nominated by the political parties, and use their respective party's symbol to contest the election. In previous elections, parties backed their candidates only informally, while aspiring candidates freely filed nominations.

Out of the 2,540, UPs for which results have been declared unofficially, in this year's election, the chairman candidates nominated by Bangladesh Awami League (AL) won 1,777 UPs, while Bangladesh Nationalist Party (BNP)'s candidates succeeded in 235 UPs. In contrast, AL-backed candidates secured 2,101 chairman posts out of 4,298 UPs, while the BNP-endorsed candidates won 1,618 posts held in the polls of 2011. This shows that BNP's success nose-dived from 38 percent in 2011 to 9 percent in 2016, whereas AL's success rate increased sharply from 49 percent in 2011 to 70 percent in 2016.

The electoral results would be above controversy if independent observers assessed the elections as fair and peaceful. Media accounts, however, have so far suggested that there were many instances of intimidation, clashes between party members, storming of polling stations and ballot stuffing in the recent UP elections. There may be many unwarranted consequences of election results that are not perceived to be free and fair: (i) The chairmen may not be effective in exercising their responsibilities. Instead they may feel greater loyalty towards the nominating party, thus, falling short of expectations of the electorate; (ii) Electoral manipulation and violence may raise the risks of lowering voter participation and increasing gender imbalance in the number of contestants; (iii) The weaknesses in conducting credible, transparent and inclusive elections may weaken the confidence of the international community in the country's democratic institutions, undermining its image; (iv) Political parties themselves run the risk of greater intra

party conflict and factionalisation, thus undermining their unity, which may, over the long run, become irreversible. Unless these risks are addressed or managed prudently, the political party as an institution may suffer; (v) Arguably, the most noticeable difference in the ongoing UP elections, relative to the past, concerns an erosion in the country's capacity to hold free and fair elections – an area in which considerable progress had been made.

The country needs to regain the capacity to conduct elections with minimal disruption. A strong Election Commission backed by matching law enforcement focused on their mission, does the job effectively in neighbouring India, for example. Secondly, unbiased, independent observation of elections provides the quality of assurance in the conduct of local and national elections. However, election monitoring organisations and observers must be restricted from deviating from the code of conduct stipulated for them. Finally, political parties have a responsibility to strengthen the electoral system and evolve its institutions by setting aside individual or partisan preferences.

It is said that liberal democracy cannot work without a political party system, but equally, the system cannot sustain without a competitive electoral system which allows the people to choose their representatives freely. Bickers and Williams (2001) argued for appropriate structuring of rules, incentives, and constraints to resolve tensions between 'narrow' and national interests, not uncommon in democracies, and to avoid long run undesirable effects on democratic institutions. Bangladesh has travelled a long way on the road to democracy. It must now work towards a political consensus on accelerating the pace of building the institutions that underpin it.

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