

Election credibility and risks to democracy: Global lessons

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PRIME Minister Sheikh Hasina has said time and again that the coming national elections in Bangladesh will be held in the way elections are held in other democratic countries, specially in the parliamentary system. According to the UN statistics, multi-party elections are held in nearly 150 countries out of about 200 countries. There should be therefore no dearth of examples about how to hold credible elections. While aiming for the ideal, we should, however, derive lessons only from the experience of countries at a stage of socio-economic and democratic development similar to ours. The problem in that case is that it is by no means easy to find suitable examples that we can emulate.

It is the experiences of low-income or newly democratised countries that are of particular relevance for us, since Bangladesh belongs to both these categories of countries. What are those experiences during the last two to three decades? The instances of peaceful regime change through elections are so rare that they stand out only as exceptions. Until its recent graduation to the middle-income status, India perhaps represented the only example of a low-income country having an uninterrupted record of democratic regime change through elections. India's democratic credentials are rooted in its strong state institutions, well-established norms of political practices and a balance of power among various state organs including the union and state governments.

In the wave of democratisation beginning in the 1980s, about eighty countries took significant steps towards democracy with more than thirty of them experiencing a transition from military regimes to civilian rule. More than half of the countries, however, do not either seem to be in transition to democracy anymore or have lapsed back into authoritarianism. Pakistan is an exceptional case of reverting to democracy yet once again; the recent election of Nawaz Sharif as Prime Minister represented the country's first smooth democratic transfer of power, though this was accomplished through elections held under a caretaker system. Elsewhere in South Asia, Nepal's democratisation process is in a stalemate surrounding the issue of framing a constitution, the Maldives' experiment with democracy is being jeopardised because the election results are not to the liking of powerful lobbies there, while Sri Lanka's hitherto well-established democracy is increasingly taking on an authoritarian character.

After making remarkable strides since the 1980s, why does democracy now seem to be in the retreat? In most cases, elected regimes become authoritarian by trying to hold on to power by any means. The inevitable result is institutional decay, widespread corruption and rigged elections. The recent experiences of elections in countries like Nigeria, Kenya and Zimbabwe demonstrate that majority voter support for the opposition parties is no guarantee for defeating a ruling regime, even if that majority is by a clear margin. In most such cases, it is the post-election mass agitation, often of a violent nature, that has led to a regime change, as has happened in the case of elections in Peru and Serbia in 2000 and in Ukraine in 2004. The one-party election held in Bangladesh under the BNP government in 1996 is another example.

Even the hypothesis that rising incomes and an increasing size of the middle class help democratic consolidation is questioned by the experiences of the newly-democratised countries in East Asia. In spite of considerable economic progress achieved by Thailand, its democratic process has been marred by military interferences, election boycotts, and violent street agitation. After the fall of Marcos in the Philippines, Corazon Aquino set a good example by gracefully accepting election defeat at the end of her first term as elected president; but since then democracy there has experienced some roller-coaster rides. The Indonesian experience is more promising in spite of its brief democratic history. Since the fall of Suharto in 1998, the country has

introduced wide-ranging political reforms including devolution of power to provincial and district governments and limiting the tenure of a president up to maximum two terms. The current president Susilo Bambang Yudhono got elected in 2004 by defeating Megawati Sukarnoputri in what was hailed as a credible election. Although he was elected for a second term, his party's candidate is not believed to be the likely winner in the presidential election to be held in July next year.

In many underdeveloped democracies, the continued dominance of a single party makes elections almost redundant. In the absence of competitive elections, there is no effective means of holding the government accountable or judging its popularity. With two major political parties, Bangladesh is potentially in an advantageous position in this respect. Unfortunately, Bangladesh is also an example of how a government coming into power through credible and contested elections can become autocratic if there is no democracy within the parties. There is another lesson that can be derived from Bangladesh's experience of democracy dominated by two major parties. If the parties are organised mainly on the basis of patronage politics, that is parcelling out privileges among the functionaries of party in power, the inevitable result will be politicisation of all state institutions,



weakening of governance, and confrontational politics surrounding elections.

Even where there is no credible opposition, the single dominant party can hold on to power not necessarily by only curtailing democratic freedom, but also by being able to deliver on good governance and economic performance. Perhaps the most notable example is erstwhile Malaysia led by Mahathir Mohamad. But even there, the results of the most recent parliamentary elections this year has been contested by the opposition leader Anwar Ibrahim for alleged manipulation of the electoral process. A notable aspect of Malaysia's democratic credentials in the post-Mahathir era is the practice of democracy within the dominant party. The current party leader and prime minister, Najib Razak, as well as a broad range of party post-holders are elected by grassroots party delegates. South Africa provides another example of a single dominant party where party leadership has been changed in a democratic manner. If we contrast the system of Malaysia or South Africa with that of Bangladesh, an interesting question can be raised. Which of the two systems is less of a hindrance to democratic development: a genuinely multi-party system in which the parties are run in an autocratic way and a system with a single dominant party that has democratic practice within the party?

How far can elections be made credible by strengthening the bodies responsible for holding elections? India is often cited as a success story, but is also regarded as an exception. Mexico, which is a high-middle income country, provides a useful case study, as cited in the UNDP's Human Development Report 2002 entitled *Deepening Democracy*. In the mid-1990s, under pressure from civil society, the opposition and the international community, Mexico brought about wide-ranging constitutional reforms of its electoral and political systems. These reforms included strengthening the independence and authority of the Federal Election Commission, setting up an electoral court to handle appeals of election-related disputes, and estab-

lishing a professional service for supervising elections. As a result, the opposition won majority in the legislative assembly in the 1997 elections for the first time in the history of modern Mexico; and the 2000 presidential elections brought an opposition candidate, Vincete Fox, to power.

Beides a credible electoral body, an independent and activist judiciary is no less important. In Africa, Ghana is regarded as a model of democracy, with its record of six peaceful presidential elections in a row since its transition to civilian rule in 1992. Although since then the presidency has changed hands twice without violence, President John Mahama's win the latest elections was challenged in the court by the opposition candidate. For millions of Ghanaians, the ensuing 9-month long televised court proceedings proved to be powerful civic education. Last August, the judges of the supreme court in a majority vote gave verdict validating the election results, but they also sharply criticised the conduct of the election authority. The defeated candidate kept his promise of accepting the verdict and kept his supporters calm. Gahan's sober and meticulous approach to resolving the election dispute contrasts with the rushed proceedings of Kenya's docile court which rubber-stamped the validity of the disputed election result of last March, thus creating ground for continued political unrest. It is noteworthy that Uhuru Kenyatta, who won that controversial presidential election, is currently under indictment by the International Criminal Court for his alleged involvement in the election-related ethnic violence that took place five years ago.

What can one learn from a review of experiences across countries striving for democratic consolidation? There is hardly any ready-made blueprint for success, so that there is always room for innovation in the given country contexts. The task is made more difficult in the absence of established democratic norms and strong state institutions. Moreover, poor governance and low levels of economic development perpetuate each other, so that the challenge for many countries is how to break out of this vicious cycle. Botswana is a rare example of an African country which has been successful in establishing traditions of liberal democracy and it is also one of the very few countries to have graduated from the least developed country (LDC) status. Bangladesh is also in an advantageous position in this respect. In more than two decades since its transition to democracy, the country has achieved remarkable success in accelerating economic growth and in improving its social development indicators. Compared to most other low-income countries, Bangladesh has therefore much more to lose if the democratic process now gets disrupted.

Unlike most countries at similar stage of economic and political development, Bangladesh has been able to set standards of fair and credible elections, albeit held under a caretaker system of government. The voters have successfully moved against regimes once they have crossed some vaguely defined threshold in respect of governance and corruption, as evidenced by the successive fall of governments led by the Awami League and the BNP. That is why, the demand for a level playing field for all parties in elections is so strong in Bangladesh, whereas in many countries it is almost taken from granted that the party in power will be in a position to take undue advantage in elections.

It is thus essential that the political parties come to an accommodation regarding how to hold the upcoming parliamentary elections in a credible way. Even if the ruling Awami League regime can survive a one-sided election, it will lack legitimacy in the eyes of the people and will have to increasingly move towards curtailing political freedom and resorting to repressive measures as happens in such situations in other countries. The result may be further erosion in people's confidence in state institutions, decay of social cohesion and a diminution of governance effectiveness. Military intervention is not necessarily the only possible outcome, it can be much worse.

The Amendment of the CHT Land Dispute Resolution Commission Act 2001

WILLIAM HANNA

BDANGLADESH is acknowledged for its significant contributions to peace building abroad - through its participation in international peace keeping missions, and equally significantly, at home, through the CHT Peace Accord, signed on 2 December, 1997. The European Union has consistently supported this peace process. Over the years we have contributed over € 100 million to the development of the CHT.

Significant progress has been made in implementing the Peace Accord: CHT institutions have been established as defined in the Accord, and more than 20 specific functions have been transferred to those institutions. However there are areas of Peace Accord implementation where urgent action is needed, most significantly the amendment of the CHT Land Dispute Resolution Commission Act 2001.

Past and present disputes over land, as well as land-related communal violence, continue to undermine peace in CHT. Despite the need for action the Land Commission has been unable to resolve a single dispute because the law, in the present version, cannot be implemented. The European Union sincerely hopes that the Government will amend the CHT Land Dispute Resolution Commission Act in conformity with the CHT Peace Accord and pass the Amendment Bill during the on-going session of Parliament that ends on November 7.

CHT stakeholders have identified the amendment of the CHT Land Commission Act as the top priority in the implementation of the CHT Peace Accord. They see the effective resolution of disputes over land, including past, present and future disputes, as fundamental to sustainable peace and development in the CHT. For its part the Government has duly shepherded the 2-year-consensus-building and fruitful dialogue that resulted in agreement on the 13 points for amendment amongst the key stakeholders on July 30, 2012, and endorsement by the CHT Peace Accord Implementation Committee. We welcome this example of confidence-building based on consultation and consensus. More recently, at the 2nd Cycle Universal Periodic Review of Bangladesh in April, the Honourable Foreign Minister in her opening statement to the Human Rights Council stated that the amendments to the Land Commission Act in consultation with the CHT Regional Council were in the final stages and would soon be passed. This message was reiterated more recently to the Human Rights Council in September. In other words, the goal of amending the legislation in order to have an effective Land Commission is in sight.

A credible, transparent and operational land dispute resolution process will set the foundation for sustainable development in the CHT for decades to come. This will benefit all communities as well as the country at large. The passing of the CHT Land Commission Amendment Bill in this last session of Parliament would allow the CHT Land Commission to become fully effective and begin the important task of resolving land disputes in the CHT.

The writer is Ambassador of the European Union.

BEETLE BAILY



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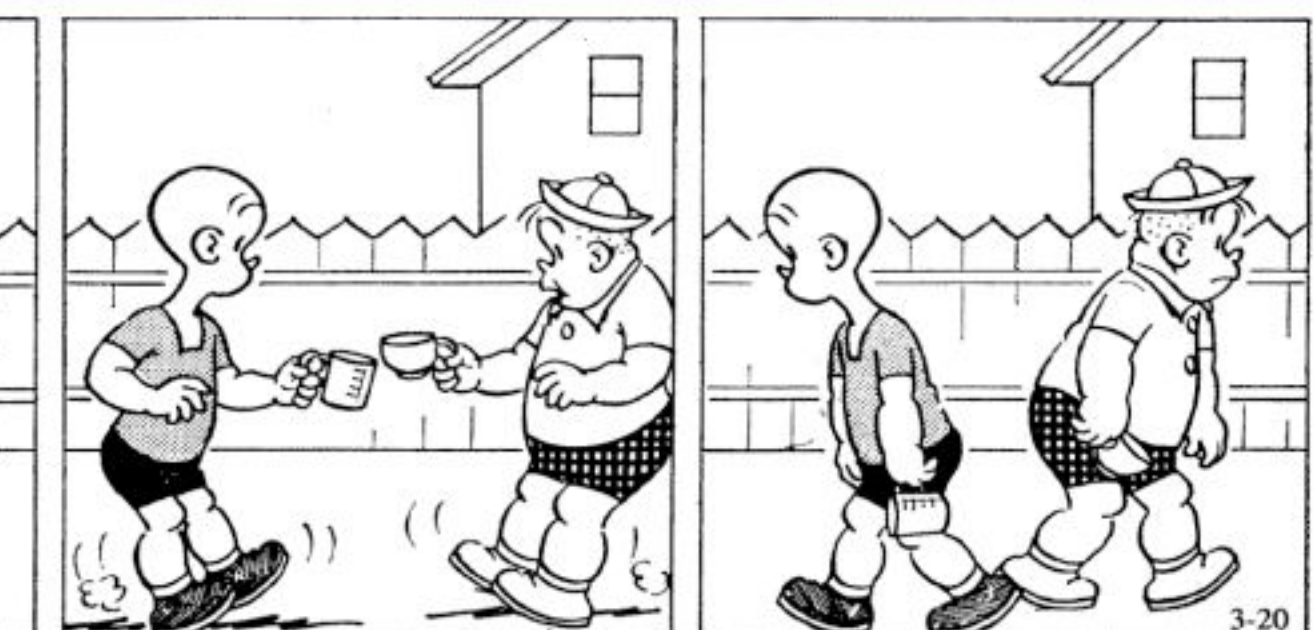


by Mort Walker

HENRY



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by Don Trachte

QUOTABLE Quote

“Before you say something, stop and think how you'd feel if someone said it to you.”

Unknown

CROSSWORD

By THOMAS JOSEPH

ACROSS

- 1 Mixer
- 5 Recap
- 10 Skunk's defense
- 11 Sentence part
- 12 Movie holder
- 13 Aerie youngster
- 14 "I asked you a question!"
- 16 "I beg your pardon?"
- 20 Le Carré spy
- 23 Old auto
- 24 Homes for koi
- 25 Navajo home
- 27 Superlative ending
- 28 Train stops
- 29 "I want to be on your team!"
- 32 "What was it I said?"
- 36 Cisco kid's horse
- 39 Sailing marker
- 40 Forge sights
- 41 Last Stuart ruler
- 42 Pesky swarm

DOWN

- 1 Musical close
- 2 Norse god
- 3 Red-ink amount
- 4 Fuse, in a way
- 5 SeaWorld whale
- 6 Goats on de mer
- 7 de mer
- 8 Purpose
- 9 Sulky state
- 11 Shelley's first name
- 15 Alimony payers
- 17 Therefore
- 18 Butcher's wares
- 19 Ages and path
- 20 Blueprint number
- 21 Dance in a pit
- 22 Crazy about
- 25 Prefix with sphere
- 26 Reception feature
- 28 Sample CDs
- 30 Satellite wives
- 31 Markets
- 33 Sahara sight
- 34 "Lisa"
- 35 Looked over
- 36 U.N.'s Hammar-skjöld
- 37 Tavern
- 38 One of Frank's



Last day's answer



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