



# HOW FAR IS THE JOURNEY TO A FREE AND FAIR ELECTION?

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The fragile democracy in Bangladesh makes it necessary for the citizens to closely monitor the electoral process to not only safeguard their civic rights but also the integrity of the process. Free and fair elections have always been a matter of great controversy. In Bangladesh even a relatively well held election evokes doubts in citizens and political parties. The ninth parliamentary elections (2008), for us, has been a hallmark of what we are capable of achieving, yet those who were defeated found it unfair, manipulated and 'crafted' by external forces! Thus, events have always been clouded by the political positions of parties and a politically divided society. Bangladesh continues to struggle for democracy in a state of intense political intolerance and exclusion!

The truth is, the much-deceived citizens who have little faith in the management of the electoral system, will continue to doubt the fairness of electoral processes and citizens will emerge as election observers/monitors to closely monitor the system and the constitutional right of the citizen to free franchise as watchdogs and act as a deterrent against the use of unfair means. Thus, observing elections become a way of protecting free participation and democracy.

The truth is, Bangladesh since independence, has had a long history of violent elections. A history where no one willingly hands over power even in the face of defeat! Take a pause and look at our electoral history. Did any leader in power willingly surrender their authority to the people's will? The only example of peaceful transfer of power after completion of full term, was in 2001, the exception to the rule. In all other cases, the nation moved through one struggle after another to force governments to hold elections and give up power to the people's representatives. The struggles leading to 1991, 1996, 2008, 2014 and

now 2018, all have one thing in common—the unwillingness of civil governments to build a strong democratic system for smooth transfer of powers! These elections clearly show a qualitative difference when held under a caretaker government and when under elected governments. It also shows elections under elected governments are comparatively ridden with greater problems. Every defeated political party takes turn in accusing the government and the Election Commission (EC) of conducting a rigged election and every ruling party, while in power, does little to set the EC free from its control so that it can truly protect the integrity of the elections. All elections bear witness to these facts, only some more than others.

The truth is, what is acceptable in Bangladesh is not acceptable in countries such as New Zealand or Sweden. If an election officer stamps a ballot paper, or non-voter votes or even a political leader intimidates the voters or breaches the RPO and the Code of Conduct (as we

witnessed in so many of our elections over the decades and in the recently held local elections between 2016-18)—it may all be viewed as minor irregularities in Bangladesh. This condition may not disqualify the election as 'unfree and unfair'. The question is how much irregularity is permissible to qualify a fair election. Who sets the standards? How many distortions of truth make a lie? How many deaths make for a violent election? How many times must the MPs and election officers breach the Code of Conduct before we can say the system has collapsed, before the EC turns around and says enough is enough and musters courage and uses its powers to stem the rot!

These were the questions I had asked myself exactly 14 years ago while observing parliamentary by-elections under the then elected government (of BNP) in 2004. I am faced with the same questions again today on the eve of the 11th parliamentary elections. Is the EC free to function neutrally? Will observers monitor elections freely? Will political parties abide by the Code of Conduct and the RPO? Will we have a 'less' un-free and 'less' unfair election?

Just as there is a variation in the electoral process under caretaker governments and under elected governments, there is also a variation in their attitudes to election observation, as a citizens' right to protect their vote! Election observation has evolved over the past two decades largely as a foreign aided activity of the voluntary sector to strengthen democracy. Observation has matured in Bangladesh both in terms of capacity and in terms of efficient research-based approaches, both quantitative and qualitative. It has moved from center-based observation to long term monitoring, increasingly recognising that anomalies in the electoral process begins way ahead of elections, even before schedules are declared. Governments not willing to decentralise authority, strengthen democratic institutions and political parties unwilling to democratise their internal management, would naturally limit their commitment to a controlled EC and electoral process.

This election is very special. It is to be held under a political government where all major political parties are about to participate.

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**With only two days to go, a level playing field is perceived to have not happened**