

BANGLADESH ELECTIONS: UNDER CARETAKERS AND BEYOND

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Introduction

In 1991, an interim arrangement called the Caretaker System was introduced in Bangladesh to facilitate the transition from dictatorship to democracy. Following the scrapping of this system, the journey of Bangladesh democracy continued a bumpy ride, cantering around the holding of the tenth general elections. The Awami League (AL) and the allies were adamant on holding the general elections under elected people at the helm while the Bangladesh Nationalist Party (BNP) and allies were not prepared to budge an inch in bringing back the non-party caretaker system. In fact, even after restoration of democracy in 1991, the democratic system in Bangladesh had little room for development.

Three consecutive caretaker governments were relatively successful in holding free and fair elections. However, the fourth one suffered a setback and was replaced by a military-backed caretaker government. Though the electoral system under caretaker government achieved some stability during the four general elections held, little qualitative change took place in the country's political arena. The tenth general elections were staged unilaterally by Awami League. However, questions will continue to pester as to its very nature and legacy.

Elections and democracy are intertwined and are main pillars of modern democratic system. Elections provide legitimacy and means for succession for ruling elite.⁽¹⁾ They are considered to be the main mechanism that ensures that the governing elite remain accountable to their electorate. Bangladesh can be portrayed as a typical case where regimes have faced credibility and legitimacy issues due to accusations of rigged elections, use of

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violence and force to win elections, and delays in holding elections at predetermined intervals, etc. Thus, voters in Bangladesh appeared to lose interest in the elections, especially during the rule of General Ershad (1982-90), when elections had dysfunctional consequences.⁽²⁾

However, in 1991, general elections were held under a unique system, the Non-party Caretaker Government (NCG), which was largely seen as a positive step for democracy. This caretaker system was modified through constitutional amendments in 1996 forced by a mass movement for better democracy. This new system of government was meant to ensure free elections, but it, too, became controversial. The pertinent question was: whether the system itself was so deficient that it failed or it were machinations of the worst forms, as alleged, that rendered it ineffective?

Although three general elections held under the NCGs led by Justice Shahabuddin, Justice Habibur Rahman, and Justice Latifur Rahman were appreciated at home and abroad, yet, as usual, the main opposition party complained of anomalies. Most importantly, to the then main opposition party and allies, the caretaker government headed by Iajuddin Ahmed was, to all intents and purposes, an extension of four-party alliance rule.

Whether he was forced or compelled, president Iajuddin Ahmed, despite being a party-nominated president, taking up the role of chief of caretaker government dealt a controversy to the non-party character of the caretaker system.⁽³⁾ And that led to a face off scenario between the previous ruling party bloc and the past opposition party alliance. The two alliances were then caught in a deadlock; one committing itself to holding of elections in 2007 at any cost apparently for safeguarding the Constitution, while the other being equally determined to resist the same in the name of safeguarding the voting rights of the people.⁽⁴⁾

There were widespread allegations that both alliances were so obsessed with the idea of securing state power that they failed to reach even a modicum of compromise, which is doubtless the cornerstone of democracy. Painfully enough, despite rhetorical commitment and prolonged struggles to establish democracy, political parties of Bangladesh have miserably failed to establish consensual ground rules for democratic competition and dissent.⁽⁵⁾

Background of the non-party Caretaker Government (NCG) System

Army chief of Staff Lt Gen Hussain Mohammed Ershad assumed power in a bloodless coup on 24 March 1982. To strengthen his hold on government Ershad suspended the constitution and declared martial law. In 1983, Ershad assumed the Presidency while retaining his positions as army chief and CMLA at the same time. Despite a boycott by the BNP, led by former president Zia's widow, Begum Khaleda Zia, parliamentary elections were held on schedule in May 1986. Gen Ershad's Jatiya Party won by a modest majority. The participation of the Awami League, led by the late prime minister Sheikh Mujib's daughter, Sheikh Hasina Wajid, lent the elections some credibility, despite widespread charges of voting irregularities.

Ershad then resigned as army chief of staff and retired from military service in preparation for the presidential elections. In protest against martial law, both the BNP and the AL refused to field candidates. Lacking any real competition, Ershad easily crushed the remaining candidates, taking 84 per cent of the vote. Although Ershad's government claimed a turnout of more than 50 per cent, opposition leaders, and much of the foreign press, estimated a far lower percentage and there were allegations of voting irregularities. In November 1986, his government somehow managed the necessary two-thirds majority in the National Assembly to amend the constitution and legitimise the previous actions of the martial law regime.

By 1989, the political situation in the country had become rather quiet. International observers, looking at the local council elections termed them less violent and relatively free and fair. However, opposition to Ershad's rule began to regain momentum quickly. By the end of 1990, there were frequent general strikes, rising campus protests, public rallies, and a general disintegration of law and order. In all big cities of the country, thousands of people protested on the streets defying curfew orders and shouted slogans demanding resignation of Ershad. The public movement eventually resulted in the withdrawal of support by Ershad's pivotal support base — the military.⁽⁶⁾ Consequently, on 6 December 1990, Ershad submitted his resignation and handed over power to an interim government headed by the then chief justice Shahabuddin Ahmed, which is regarded as the first caretaker government of Bangladesh.

Non-party caretaker government: Constitutional provisions

Relevant constitutional provisions relating to the non-party caretaker government are stated below:⁽⁷⁾

Clause 58 B. Non-Party Caretaker Government

- (1) There shall be a Non-Party Caretaker Government during the period from the date on which the Chief Adviser of such government enters upon office after Parliament is dissolved or stands dissolved by reason of expiration of its term till the date on which a new Prime Minister enters his office after the constitution of Parliament.
- (2) The Non-Party Caretaker Government shall be collectively responsible to the President.
- (3) The executive power of the Republic shall, during the period mentioned in clause (1), be exercised, subject to the provisions of article 58D(1), in accordance with this Constitution, by or on the authority of the Chief Adviser and shall be exercised by him in accordance with the advice of the Non-Party Caretaker Government.
- (4) The provisions of article 55(4), (5) and (6) shall (with necessary adaptations) apply to similar matters during the period mentioned in clause (1).

Clause 58 C. Composition of the Non-Party Caretaker Government

- (1) Non-Party Caretaker Government shall consist of the Chief Adviser at its head and not more than ten other Advisers, all of whom shall be appointed by the President.
- (2) The Chief Adviser and other Advisers shall be appointed within fifteen days after Parliament is dissolved or stands dissolved, and during the period between the date on which Parliament is dissolved or stands dissolved and the date on which the Chief Adviser is appointed, the Prime Minister and his cabinet who were in office immediately before Parliament was dissolved or stood dissolved shall continue to hold office as such.
- (3) The President shall appoint as Chief Adviser the person who among the retired Chief Justices of Bangladesh retired last and who is qualified to be appointed as an Adviser under this article. Provided that if such retired Chief Justice is not available or is not willing to hold the office of Chief Adviser, the President shall appoint as Chief Adviser the person who among the retired Chief Justices of Bangladesh retired next before the last retired Chief Justice.
- (4) If no retired Chief Justice is available or willing to hold the office of Chief Adviser, the President shall appoint as Chief Adviser the person who among the retired Judges of the Appellate Division retired last and who is qualified to be appointed as an Adviser under this article. Provided that if such retired Judge is not available or is not willing to hold the office of Chief Adviser, the President shall appoint as Chief Adviser the person who among the retired Judges of the Appellate Division retired next before the last such retired Judge.
- (5) If no retired judge of the Appellate Division is available or willing to hold the office of Chief Adviser, the President shall, after consultation, as far as practicable, with the major political parties, appoint the Chief Adviser from among citizens of Bangladesh who are qualified to be appointed as Advisers under this article.
- (6) Notwithstanding anything contained in this Chapter, if the provisions of clauses (3), (4) and (5) cannot be given effect to, the President shall assume the functions of the Chief Adviser of the Non-Party Caretaker Government in addition to his own functions under this Constitution.
- (7) The President shall appoint Advisers from among the persons who are
 1. qualified for election as members of parliament;
 2. not members of any political party or of any organization associated with or affiliated to any political party;
 3. not, and have agreed in writing not to be, candidates for the ensuing election of members of parliament;
 4. not over seventy-two years of age.
- (8) The Advisers shall be appointed by the President on the advice of the Chief Adviser.

- (9) The Chief Adviser or an Adviser may resign his office by writing under his hand addressed to the President.
- (10) The Chief Adviser or an Adviser shall cease to be Chief Adviser or Adviser if he is disqualified to be appointed as such under this article.
- (11) The Chief Adviser shall have the status, and shall be entitled to the remuneration and privileges, of a Prime Minister and an Adviser shall have the status, and shall be entitled to the remuneration and privileges, of a Minister.
- (12) The Non-Party Caretaker Government shall stand dissolved on the date on which the Prime Minister enters upon his office after the constitution of new parliament.

Clause 58 D. Functions of Non-Party Caretaker Government

- (1) The Non-Party Caretaker Government shall discharge its functions as an interim Government and shall carry on the routine functions of such Government with the aid and assistance of persons in the services of the Republic; and, except in the case of necessity for the discharge of such functions it shall not take any policy decisions.
- (2) The Non-Party Caretaker Government shall give to the Election Commission all possible aid and assistance that may be required for holding the General Election of members of parliament peacefully, fairly and impartially.

Elections under Non-party Caretaker Government: Free and Fair?

Table 1

Fifth General Election, 1991 (Election under First Caretaker Government)

Summary of the 27 February 1991 Bangladeshi Jatiyo Sangshad Election					
S.No	Party	Total Candidates	Seats	Votes	%
1	Bangladesh Nationalist Party	300	140	1,05,07,549	30.81%
2	Jatiyo Party	272	35	40,63,537	11.92%
3	Bangladesh Awami League	264	88	1,02,59,866	30.08%
4	Jaker Party (JDP)	251	0	4,17,737	1.22%
5	Jamaat-e-Islami Bangladesh	222	18	41,17,737	1.22%
	Others and independent		19		
	Total		300		

Source: Bangladesh Election Commission, 2009, homepage: www.ecs.gov.bd (Retrieved 15 May, 2009)

Elections 1991 and the aftermath

In March 1994, controversy over a parliamentary by-election, which the opposition claimed the government had rigged, led to an indefinite boycott of Parliament by the entire opposition. The opposition then began to stage general strikes, demanding the dissolution of Khaleda Zia's government, and the appointment of a caretaker government to supervise a general election. Efforts to mediate the dispute under the auspices of the Commonwealth Secretariat failed. After another attempt at a negotiated settlement failed in late December 1994, the opposition resigned en masse from Parliament. The opposition then continued a campaign of marches, demonstrations, and strikes in a bid to force the government to resign. The opposition, including the Awami League, Jatiya Party (Ershad) and Jamaat-e-Islami Bangladesh, pledged to boycott national elections scheduled for 15 February 1996.

Table 2

Sixth General Elections, 1996
Summary of the 15 February 1996 Bangladeshi Jatiyo Sangshad Election

Serial	Party	Total Candidates	Seats
1	Bangladesh Nationalist Party	300	278
2	Freedom Party	-	1
3	Independent	-	10

Source: Bangladesh Election Commission, 2009, homepage: www.ecs.gov.bd (Retrieved 15 May, 2009)

Elections of 15 February 1996 and aftermath

In February 1996 Khaleda Zia was re-elected for the second term by a landslide in voting boycotted and denounced as unfair by the three main opposition parties. In March 1996, following escalating political turmoil, the sitting Parliament enacted a constitutional amendment to allow a neutral caretaker government to assume power to conduct fresh parliamentary elections. Former chief justice Mohammed Habibur Rahman was named chief advisor (a position equivalent to prime minister) in the interim government.

Table 3

**Seventh General Election, 1996 (Election under
Second Caretaker Government)**

Summary of the 12 June 1996 Bangladesh Jatiyo Sangshad Election Results			
Parties	Votes	%	Seats
Bangladesh Awami League	15882792	37.44	146
Bangladesh Nationalist Party	14255986	33.60	116
Jatiya Party	6954981	16.40	32
Jamaat-e-Islami Bangladesh	3653013	8.61	3
Islami Oikya Jote	461003	1.09	1
Jatiya Samaj Tantrik Dal (Rab)	97916	0.23	1
Non-partisan and others	450132	2.73	1
Total		100.0	300

Source: Bangladesh Election Commission, 2009, homepage: www.ecs.gov.bd (Retrieved 15 May, 2009)

June 1996 elections and the aftermath

New Parliamentary Elections were held in June 1996 and were won by the Awami League. AL leader Sheikh Hasina became the prime minister. She formed what she called a "Government of National Consensus" in June 1996, which included one minister from the Jatiya Party and another from the Jatiya Samajtantric Dal, a very small leftist party. The Jatiya Party never entered into a formal coalition arrangement, and party president H.M. Ershad withdrew his support for the government in September 1997. Only three parties had more than 10 members elected to the 1996 parliament: The Awami League, BNP, and Jatiya Party. Jatiya Party president, Ershad, was released from prison on bail in January 1997.

In June 1999, BNP and other opposition parties once again started boycotting the Parliament and staging nationwide general strikes, rising from 6 days of general strikes in 1997 to 27 days in 1999. In 1999, a four-party opposition alliance was formed. This alliance put forth a list of demands regarding electoral fairness, and announced that unless the government fulfilled the demands, all parties in the alliance would boycott parliamentary by-elections and local government elections. The government did not take the steps, and the opposition subsequently boycotted all elections, including municipal council elections in February 1999, several parliamentary by-elections, and the Chittagong City Corporation elections in January 2000. The opposition then started to pressurize that the Awami League government step down and make way for a caretaker government to preside over parliamentary and local government elections.

Table 4

Eighth General Elections, 2001 (Election under Third Caretaker Government)

Summary of the 1 October 2001 Bangladesh Jatiyo Sangshad Election Results				
Parties	Votes	%	Seats	
Bangladesh Nationalist Party	23,074,714	41.40	193	
Bangladesh Awami League	22,310,276	40.02	62	
Jatiya Party (Ershad) • Includes candidates of the Islamic National Unity Front (<i>Islami Jatiya Oikya Front</i>)	4,023,962	7.22	14	
Jamaat-e-Islami Bangladesh	2,385,361	4.28	17	
Jatiya Party (Naziur)	521,472	0.94	4	
Islami Oikya Jote	312,868	0.56	2	
Krishak Shramik Janata League	261,344	0.47	2	

Jatiya Party (Manju)	243,617	0.44	1
Non-partisan and others	2,262,045	4.06	6
Vacant		-	2
Total	55,728,162	100.0	300

Source: Bangladesh Election Commission, 2009, homepage: www.ecs.gov.bd (Retrieved 15 May, 2009)

Elections 2001 and the aftermath

The Khaleda-led four-party alliance won two-third of total parliamentary seats, while Bangladesh Awami League won only 62 seats making the smallest opposition since 1991. Khaleda Zia thus won a second term in 2001 with a coalition including several Islamist parties.

Ninth General Election, 2008 (Army-backed Caretaker Government):

Doctrine of Necessity or Military re-intervention in Election and Politics?

An election was scheduled for the end of 2006; however it did not take place because the main opposition party, Awami League, and its allies accused the caretaker government headed by president Iajuddin Ahmed of harbouring a bias in favour of the BNP. The political turmoil led to nationwide protests and shutdowns. Although Iajuddin took charge as the chief of the caretaker government to conduct next general elections, there were widespread allegations that he did not exhaust all the provisions. However, in January 2007, president Iajuddin Ahmed stepped down from the post of chief of caretaker government under pressure from the military.

Later, Fakhruddin Ahmed, former World Bank economist, was selected by the army to replace him and he committed himself to rooting out corruption and preparing a better voter list. Emergency was declared and a massive campaign to crack down on corruption was launched. The government claimed that it would hold the election before the end of 2008.

In April, Ahmed's administration attempted to reform the political parties as part of implementing of the alleged "minus two" formula of the army by trying to force Hasina and Khaleda into exile. However, the administration backed down under domestic and international pressure. Hasina, who had been visiting her children in the US, was allowed to return home but she faced serious charges, including charges of corruption. In July, she was taken into custody. This provoked angry protests from her supporters; even her archrival Khaleda Zia, as well as six British MPs and MEPs, called for her release.

Table 5

Ninth General Elections, 2008 (Election under Fourth Caretaker Government)

	Summary of the 9th Bangladeshi Jatiyo Sangshad Election
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Alliance	Party	Seats	Votes	%
Grand Alliance	Bangladesh Awami League	230	33,887,451	49.0%
	Jatiya Party	27	4,867,377	7.0%
	Jatiyo Samajtantrik Dal	3	429,773	0.6%
	Workers Party of Bangladesh	2	214,440	0.3%
	Liberal Democratic Party	1	161,372	0.2%
Four-Party Alliance	Bangladesh Nationalist Party	30	22,963,836	33.2%
	Jamaat-e-Islami Bangladesh	2	3,186,384	4.6%
	Bangladesh Jatiya Party-BJP	1	95,158	0.1%
	Islami Oikya Jote	-	-	-
Independents and others		4	3,366,858	4.9%
Total		300	69,172,649	99.99%

Source: Bangladesh Election Commission, 2009, homepage: www.ecs.gov.bd (Retrieved 15 May, 2009)

Soon, Khaleda Zia was also put behind bars by the army-backed interim government. Thus, the army-backed caretaker government deviated from the aims and objectives of the NCG. The reactions within the political sphere were divided; one main political camp justified it as the doctrine of necessity, while the other considered it military re-intervention in election and politics in Bangladesh.

Elections 2008 and aftermath

Awami League president Sheikh Hasina won the election on 29 December 2008, and the caretaker government ended its authority on 6 January 2009. Sheikh Hasina became the prime minister of Bangladesh for the second time. On 25 February 2009, border guards in the Bangladesh Rifles mutinied and killed more than 50 army officers, testing the hold of the new government.

Performance of the four caretakers

After a long period of mass upheavals, democratic system was again in place in 1991 following an election held under the supervision of an NCG led by the then chief justice Shahabuddin Ahmed. This election was welcomed both at home and abroad and was generally considered relatively free and fair. However, the then acting Chairman of Jatiya Party (JP), Mizanur Rahman, raised allegation of partisanship against the NCG and the main opposition party, the AL, also complained of rigging. That the allegations were just a political ruse, is apparent from the fact that Shahabuddin Ahmed was made president of the

country under the AL rule (1996-2001). But the elections that took place in 1996 and 2001 under retired chief justice Habibur Rahman and Latifur Rahman, respectively, came under serious political criticism. The BNP expressed strong reservations about some policies of the Habibur Rahman NCG while the AL was extremely critical of the policies of Latifur Rahman's NCG. While the BNP observed that various measures taken by Habibur Rahman were intended to disadvantage the party in the polls, the AL levelled the same allegations against Latifur Rahman.⁽⁸⁾ The BNP and AL both lost the elections held under the charge of the chief adviser of Habibur and Latifur Rahman in the 7th and 8th general elections, respectively.

As for the performance of the fourth (army-backed) caretaker government, the BNP and particularly its chairperson Khaleda Zia expressed complete frustration against the army-backed Fakhruddin NCG. Her allegation was that the NCG did not just arrest her and her party members but also two of her sons were taken into custody. There were media reports that the army-backed NCG also tried to form a "King's Party" consisting of politicians collected from the two main political parties but this attempt failed due to lack of positive response from the politicians.

Khaleda Zia, the chairperson of BNP, also expressed dissatisfaction regarding the process of reshuffling parliamentary constituencies and alleged use of the judiciary and election commission to put "mass embargo" on her party members. As mentioned earlier, Sheikh Hasina was also arrested by the army-backed NCG and charged with corruption. The NCG, however, justified the actions of the government as being completely neutral and nonpartisan. The Fakhruddin NCG took about one and a half year to arrange the election (although the constitutional provision states that the elections must be held in three months time after NCG takes charge). The AL secured a landslide victory in the election.

None of the parliamentary elections, under political governments have been regarded as free, fair and impartial. The partisan governments always tried to rig the elections in their favour. However, the non-party caretaker governments had no apparent stake in the outcomes of elections. Therefore, the elections under them were relatively free from centrally-designed electoral frauds.⁽⁹⁾ It should be mentioned here that overall the NCG system has helped reduce electoral violence and increase voter turnout and hence restored people's trust and confidence in elections in Bangladesh. (See the table below)

Table 6
Violence and Elections in Bangladesh

Elections	% of Voter turnout	Election postponed		Nature of violence	
		Constituency	Centre	No. of clashes (pre-election)	No. of deaths (election day)
Ninth	-----	-----	-----	-----	-----

Eighth	74.8	16	90	144	3
Seventh	74.9	27	123	na	4
Fifth	55.4	12	30	na	1
Fourth	52.5	na	23	19	7
Third	61.1	na	284	221	32
Second	51.3	na	63	122	18
First	54.9	na	56	85	13

Source: Nizam Ahmed, 2004, *Non-party Caretaker Government in Bangladesh; Experience and Prospect* (Dhaka: The University Press Limited, 2004), p.92.

Annulment of the caretaker system

Non-party Caretaker Government was a result of Bangladesh's decomposed political culture. Politicians supported and/or criticised the system, depending upon its ability or inability to bring them power. Bangladeshi leaders have had the tendency to change positions as and when it suits them. That is why they ignored seniority in appointing a chief justice so as to make him the next Chief Adviser and paid at the end of the day. Another group, then, raised the retirement age of Supreme Court judges only to get the desired person to head the next caretaker government. As a result, the country landed in a prolonged emergency.

Before the army-backed caretaker government took over in 2007, another group made a mockery of the caretaker system by forcing a partisan president to take the helms of a non-party caretaker government, who toed the line of the leadership to whom he was loyal. Shortly, afterwards, chaos and turmoil threatened to wreck the country.

Quite dramatically, during their tenure (2008-2013), the caretaker system became an anathema for the Awami League camp and they scrapped the same system for which they had once paralysed the country. Another camp, mocked the very idea was of neutrality. One group was committed to upholding the verdict of the Supreme Court which had declared the caretaker provision unconstitutional. In the verdict, however, there was an option of holding two more elections under a caretaker government. The opposing bloc resorted rather prematurely to the oft-repeated protest mechanism — *hartal*.

New formulas as alternatives to NCG: AL's rejection, BNP's welcome

Amidst political chaos regarding cancellation of the caretaker system, new formulas started to float. Civil society groups started campaigning for flawless elections. Transparency International Bangladesh (TIB) came up with a formula which they called 'Election Time Government' (ETG), proposing constituting an 11-member 'election time government' through a parliamentary consensus committee for holding the 10th parliament elections in a free, peaceful and neutral manner.⁽¹⁰⁾

According to the formula, the proposed 'parliamentary consensus committee' were be formed with parliament members from both alliances —

AL-led grand alliance and BNP-led 18-party alliance to prepare a list of the members of the 'election-time government.' The Speaker was to ask political parties to submit the names of their nominees for constitution of 'parliamentary consensus committee'. TIB placed two alternative proposals for formation of the election-time government. According to the proposal 'A', the parliamentary consensus committee was to first select the head of the election-time government through consultation among them and in consultation with the head; the committee was to select the names of 10 members of the proposed government.

According to the proposal 'B', the parliamentary consensus committee was to select 10 members for the proposed government. Then, the 10 members were to select the head of the election time government. If, however, the committee failed to reach consensus on the head of the government, it would send names of a three-member panel to the president. Then, the president would appoint the head of the election-time government from the panel.

The 10 members of the government could be selected from the two alliances on an equal basis or on the basis of ratio of votes in the last three parliamentary polls. However, any member of the election-time government would neither be able to participate in the 10th parliamentary elections nor be able to hold any post under the next government. The TIB claimed to have presented this proposal to create a congenial atmosphere through an understanding among all for smooth continuation of the democratic process.

The AL-led government and its leader Sheikh Hasina rejected the formula while the Khaleda Zia-led BNP and associates welcomed it. These different gestures are indicative of AL's intention of rejecting anything that did not appear to be beneficial to them directly, and BNP's desperation to break the shackles of AL's domination and inclination to have some influence over the next general election.

Heated politics over the 10th general elections: Three possible scenarios apprehended

As mentioned earlier, Bangladesh politics remained animated over the NCG issue for quite some time. A face-off situation developed between the two major blocs regarding cancellation and restoration of NCG, and there was a very real possibility of escalation in violence. The ruling party's setback in the crucial local government elections made the situation more complex. Defeat in the elections led to increasing tensions within the ruling coalition. They, however, claimed that the results showed that elections under AL-led government could be free and fair. The BNP, however, claimed that the ruling party's defeat in the elections legitimised their claim for restoration of NCG. In the backdrop of this hostile scenario, three possible prospects came under speculation;

1. **10th general elections under AL-dominated interim govt**
If the BNP-led alliance failed to step up their movement for the restoration of the NCG, the AL-led alliance would have been able to hold the next general elections under their dominance. In that case, BNP-led alliance was very likely to

boycott such an election resulting in a virtual rival-free election. If that happened, AL-led alliance was to have a walkover. However, acceptance of such an election, both nationally and globally, might have been difficult.

2. **10th general elections under a restored NCG or party-dominance free interim government**

If good sense prevailed among the major political parties, such a possibility could not be ruled out. But, given Bangladesh's political culture, expecting this ideal scenario seemed rather far-fetched. If, however, such a compromise could take place between AL and BNP, there was a possibility of the next general elections taking place peacefully.

3. **Third-party intervention amidst prolonged deadlock**

If the deadlock between the two major political groups continued and if violence escalated unabatedly, third party might have re-emerged in the political scenario. In fact, such a scenario had marked the country in the very recent past and the 9th general elections had taken place under military-backed NCG. As mentioned earlier, that military-backed caretaker government took two years instead of three months to hold the elections. The modus operandi of such a government, however, could not be predicted as to how it would behave, whether it would hold next general elections in the shortest possible time or try to prolong its rule.

10th general elections: How was it without caretakers?

As it happened, the first scenario came true. Amidst fear and great uncertainty, 10th general elections were held on 5 January 2014. The elections were controversial. Almost all the major opposition parties boycotted the polls, and 154 of the total 300 seats remained uncontested. Prior to the election, Bangladesh Nationalist Party and its alliance of 18 opposition parties led by Khaleda Zia, called more than 85 days of nationwide general strikes and blockades that turned 2013 into one of the most tumultuous years in the history of the country.

The opposition wanted the ruling Awami League (AL) led by the then prime minister Sheikh Hasina to amend the Constitution to pave the way for a non-partisan interim government or a caretaker government. As this demand was turned down by Sheikh Hasina, major opposition parties except the Jatiya Party boycotted the polls. Sheikh Hasina had offered an all-party interim election-cabinet including opposition parties until the election but this was rejected by Khaleda Zia.⁽¹¹⁾

Following months of protests, strikes and blockades, the 18-party opposition alliance led by the BNP formally announced a boycott of the polls citing unfair conditions for the elections. On 29 December 2013 the BNP called for a *March for Democracy* towards Dhaka, in defiance of a police ban, to protest against the election. However, BNP failed to stage the march. A general

strike was called for 4, 5 and 6 January by the opposition parties. On 3 and 4 January, opposition activists attacked potential polling centres across Bangladesh. Countrywide violence resulted in low turnout in the elections.⁽¹²⁾

As a result of the boycott, the Awami League had already secured victory on 127 of the 154 seats uncontested. Similarly, The Jatiya Party led by Gen Ershad's wife Rowshan Ershad had won 21 uncontested seats, Jatiya Samajtantrik Dal won three seats, the Workers Party secured two seats and the Jatiya Party (Manju) won one seat.⁽¹³⁾ The EU, the US and the Commonwealth announced that they would not send observers since they were concerned about the credibility of the election.

Table 7

Tenth Parliamentary Elections, 2014

Party	Votes	%	Seats	+/-
Awami League	36,173,883	79.14	234	
Jatiya Party	5,167,698	11.31	34	
Workers Party	939,581	2.06	6	
Jatiyo Samajtantrik Dal	798,644	1.75	5	
Jatiya Party (Manju)		0.3	2	
Bangladesh Tarikat Federation		0.3	2	
Bangladesh Nationalist Front		0.3	1	
Independents		4.7	16	
Repoll ordered	–	–	3	–
Invalid/blank votes	1,551,585	–	–	–
Total	47,262,168	100	300	0
Registered voters/turnout	92,007,113	51.37	–	–

Source: Bangladesh Parliament, 2014. Homepage: www.parliament.gov.bd (Retrieved 25 May 2014)

The newly elected MPs were sworn in on 9 January. UN Secretary-General Ban Ki-moon criticized both the BNP and the Awami League, saying they should resume meaningful dialogue and urgently work towards an inclusive political process respecting the expectations of the people of Bangladesh. A leading newspaper called the elections the deadliest in the country's history and commented that the Awami League won a predictable and hollow victory, which gives it neither a mandate nor a moral standing to govern effectively.⁽¹⁴⁾ Internationally, the election was termed “disappointing” by the US, UK, Canada and Commonwealth, as more than half the seats were uncontested and the remaining had only token opposition.⁽¹⁵⁾

Conclusion

Before the 10th general elections in Bangladesh, four elections were held under Non-party Caretaker Government, with the fourth one being under a military-backed NCG. The Caretaker System was not seen as trustworthy by the major political parties, but the scrapping of the system led to political uproar. Judicial intervention made the situation even more complex. However, the

intention of the judiciary appeared to be sincere and pragmatic; to keep judges away from heading the non-party caretaker government. Originally, the non-party caretaker system was set up as an interim arrangement that could not be sustained for ever. However, over time, the age-old political issues in Bangladesh resulted in a resurfacing of the caretaker issue.

It is really unfortunate that so far the country has not been able to put in place a viable mechanism for peaceful transition of power. With the previous government's tenure nearing completion, the tenth general elections in Bangladesh became centre of attention and an uncertainty seemed to take hold of the political landscape. Though the Awami League was successful in holding the election and keeping its archrivals at bay, the nature of that election and the future of democracy in Bangladesh are still a matter of controversy.

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