



## BNP's Narrowing Options in Bangladesh

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The term of the 350<sup>1</sup> member unicameral legislature of Bangladesh known as *Jatiya Sangsad* (JS) is expiring on January 28, 2019. As per the established constitutional norms and practices, the next general elections are expected to be held between October 31, 2018 and January 28, 2019. The political contestation between the two mainstream political parties—the ruling Awami League (AL) and opposition Bangladesh National Party (BNP)—meanwhile continues and intensifies. Although the BNP is willing to be part of the upcoming electoral exercise, it has put forward certain conditions before the government for its participation. The most important among these is the demand for a neutral caretaker government that will not play a partisan role in the conduct of parliamentary elections.

In order to put pressure on the government, BNP leadership has been using a two-pronged strategy. On the one hand, the party is trying to forge greater opposition unity<sup>2</sup> by bringing smaller political players together, and on the other it is reaching out to international community including the United Nations.<sup>3</sup> In the recent past, BNP also made attempts to assure India of its cooperation in future.<sup>4</sup> It is also holding a series of peaceful protests against the Awami League government. As a result of the BNP's attempts, of late, some smaller parties and civil society organisations including *Sushasoner Jonno Nagorik* (*Shujan*) have joined in demanding free and fair elections under a neutral caretaker government.<sup>5</sup> There are others who also favour the idea of greater opposition unity and joint leadership, but have concerns regarding BNP's closeness to extremist organisations. Gono Forum President Dr Kamal Hossain has expressed strong reservations about the Jamaat-e-Islami being part of the movement for free and fair elections. In a press conference on September 11, he argued that his party would not join BNP in any united opposition front that which includes the *Jamaat*.<sup>6</sup>

### **A Non-Political Caretaker Government (NCG)**

It is interesting to note that in the past both the Awami League and the BNP have both supported and opposed the installation of a Non-Political Caretaker Government (NCG) from time to time depending on their political convenience. When in power, both parties vehemently opposed the idea of NCG, while in opposition they forcefully argued in favour of it. In late 1990, a joint opposition (which then included both the BNP and the Awami League) forced President Hussain Muhammad Ershad's autocratic regime to hand over power to a caretaker government headed by the then Chief Justice Shahabuddin Ahmed to conduct the 1991 general elections. It was the first election held under a caretaker setup which brought BNP to the helm of affairs. In March 1996, under intense pressure from the Awami League-led opposition, Khaleda Zia government introduced the 13<sup>th</sup> amendment to the constitution making NCG a permanent feature of the electoral system.<sup>7</sup>

The next elections, held under the NCG, catapulted the Awami League to power. Under the garb of a Supreme Court ruling it thereafter scrapped the provision for a caretaker government through the 15<sup>th</sup> constitutional amendment in 2011.<sup>8</sup> Since then, BNP has been pressing for a NCG like system. The party has categorically maintained, time and again, that a credible election is not possible under the present dispensation and it will launch a political movement against the government if its demands are not met in time.

### **Street Agitation and Preparation for Election Contests**

Historically both parties have used street agitation, also referred as *Hartal Politics*, as an effective instrument to discredit and dislodge the ruling dispensation.<sup>9</sup> BNP chairperson Khaleda Zia's imprisonment after being found guilty in a corruption case has added one more grievance in the BNP's list of complaints against the Sheikh Hasina government. The BNP believes that sending its top leader behind bars is part of the government's strategy keeping her out of electoral process.<sup>10</sup> The party has repeatedly maintained that there will be no credible election in the country without BNP's participation. It has also been threatening to launch a political movement against the government, if Khaleda Zia is not released and its demand for caretaker government is not met. Although the BNP leaders argue that there will not be any election without Khaleda Zia, they know well that non-participation is not an option this time. For this reason, the party is working hard on its election strategy: this consists of preparing its activists for possible street agitation as well as getting ready for elections. As per the latest available details, the party high command has finalised candidates for at least 100 constituencies and instructed them to be active and work in their respective areas for contesting the polls.<sup>11</sup>

### **Government's Approach**

The ruling dispensation seemingly indifferent to the BNP's demands is keeping at the same time a close tab on its activities. The government has repeatedly made it clear that it was ready to do everything to facilitate a free, fair and inclusive election within the prescribed constitutional limits and laws of the land. However, it has not given any indication of a political dialogue with the BNP-led opposition to address prevailing issues. The Hasina government does not want to be

seen as bowing to its political foe before the upcoming general elections. The Road Transport and Bridges Minister and Awami League General Secretary Obaidul Quader has recently announced that there will be a poll-time government by mid October to oversee the upcoming parliamentary elections.<sup>12</sup> This was rejected in no time by the BNP which termed the move as illogical. Abdullah Al Noman, the vice-chairman of the party, categorically stated that “We think people have no confidence in the current regime. So, the election can't be held under it.”<sup>13</sup>

Mindful of BNP's overall strategy, the Awami League, as a political party, is proceeding cautiously but steadily in its preparation of the elections. Given the charisma, popularity and leadership qualities of Sheikh Hasina, the party is firmly united behind its leader and using all possible means to reach out to people on the basis of government's past performance and achievements, especially in the socio-economic field. It has also warmed up to Islamic organisations and pressures groups to increase its vote share.

### **Supportive Government Formula**

With the demand of installing a caretaker setup to conduct the 11<sup>th</sup> parliamentary elections gaining traction amidst moves for a larger opposition unity, the BNP is also preparing itself to offer some concrete proposals. The party is believed to have completed the background work and is in the process of taking suggestions from other smaller parties such as *Bikolpo Dhara Bangladesh* (BDB), *Gono Forum*, *Jatiya Samajtantrik Dal* (JSD-Rob), and *Nagorik Oikya* etc.<sup>14</sup> There are at least four tentative proposals under discussion:

- Consensus based poll-time government.
- All party 10 member cabinet headed by the President of Bangladesh.
- Government comprising former caretaker advisors and non-political persons.
- Setup headed by Sheikh Hasina with no executive powers.<sup>15</sup>

The party is expected to formally announce the proposal/s in October after a thorough discussion with other opposition parties. Among these four, BNP favours the consensus based poll-time government in line with the 1991 setup which was chosen in consultation with all political parties. Even a cursory look at these tentative proposals suggests that BNP is actually scaling down its demands. Earlier, BNP was opposed to any setup headed by Prime Minister Sheikh Hasina, but now at least one proposal in principal accepts her as the head of the possible caretaker government.

### **Gearing up for Street Agitation**

As a political entity, BNP faces its gravest existential crisis. With Khaleda Zia in jail, the party does not feel confident enough to go for elections without its top leader to keep the party united and cadres motivated. Its attempts to reach out to the international community including the United Nations have not yielded tangible results. Having explored and exhausted many ways including a negotiated political settlement with the ruling Awami League, the party is gearing up to launch a street movement. During a human chain protest, senior BNP leader Moudud Ahmed himself

hinted that the party was preparing for an all-out street agitation to get their leader released. He categorically stated that “We need to forget about having Khaleda Zia released from jail through legal process...street movement is now the only way.”<sup>6</sup> The plan to launch a street agitation to pressurise the government may backfire in the end if it gets violent because in that situation the government may go for tougher actions against BNP leaders and activists.

### Conclusion

Given the history of political contestation in Bangladesh, resolving the political deadlock peacefully and amicably is important. The main signs of optimism about a peaceful resolution of issues are the readiness of all political players including the BNP to participate in the elections.

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 Disclaimer: The views expressed are that of the Researcher and not of the Council.

### Endnotes

<sup>1</sup> Although, the *Jatiya Sangsad* consists of 350 members but only 300 are elected directly from single territorial constituency with first past the post system. The rest 50 seats are reserved for women and filled indirectly.

<sup>2</sup> Several top BNP leaders were present at the stage of a citizen’s rally called by *Jatiya Oikya Prokriya* (a loose political group) in Dhaka on September 22. For details, see Hasan, Rashidul (2018), “Greater unity taking shape,” *The Daily Star*, September 23, 2018, available at <https://www.thedailystar.net/politics/bnp-join-today-jatiya-oikya-prokriya-rally-1637062>

<sup>3</sup> BNP General Secretary Mirza Fakhrul Islam recently visited United Nations and requested for mediation between the bickering political parties and sending election observers. For details, see Zaman, Sheikh Shahariyar (2018), “UN: Won’t interfere in Bangladesh internal politics,” *Dhaka Tribune*, September 18, 2018, available at <https://www.dhakatribune.com/bangladesh/nation/2018/09/18/un-won-t-interfere-in-bangladesh-internal-politics>

<sup>4</sup> Three prominent members of BNP—Abdul Awal Mintoo, Amir Khasru Mahmud Chowdhury and Humaiyun Kabir—visited New Delhi in June 2018 to dispel the old mindset. They also met some RSS office bears and appealed to the Modi government to support free and fair process during the elections in Bangladesh. For details, see Imam, Shah Husain (2018), “BNP Leaders’ India Trip,” *The Daily Star*, June 22, 2018, available at <https://www.thedailystar.net/opinion/pleasure-all-mine/bnp-leaders-india-trip-1593646>

<sup>5</sup> Irani, Bilkis (2018) “Shujan: Free, fair election impossible under the incumbent government,” *Dhaka Tribune*, September 16, 2018, available at <https://www.dhakatribune.com/bangladesh/election/2018/09/16/sujan-free-fair-election-impossible-under-this-govt>

<sup>6</sup> “Dr Kamal: No unity with BNP if Jamaat stays with it,” *Dhaka Tribune*, September 11, 2018, available at <https://www.dhakatribune.com/bangladesh/politics/2018/09/11/dr-kamal-no-unity-with-bnp-if-jamaat-stays-with-it>

<sup>7</sup> Ahmed, Nizam (2011), “Abolition or Reform?: Non-party Caretaker System and Government Succession in Bangladesh,” *The Round Table*, 100 (414): 303-321.

<sup>8</sup> Khan, Adeeba Aziz (2015), “The Politics of Constitutional Amendments in Bangladesh: The Case of the Non-political Caretaker Government,” *International Review of Law*, London: SOAS, available at <http://www.qscience.com/doi/pdf/10.5339/irl.2015.9>

<sup>9</sup> Hossain, Akhtar (2000), “Anatomy of Hartal Politics in Bangladesh,” *Asian Survey*, 40 (3): 508-529.

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<sup>10</sup> “Fakhrul: Khaleda jailed to take political revenge,” *Dhaka Tribune*, April 22, 2018, available at <https://www.dhakatribune.com/bangladesh/politics/2018/04/22/fakhrul-khaleda-jailed-take-political-revenge/>

<sup>11</sup> Molla, Mohammad Al-Masum (2018), “BNP 'finalises' 100 party candidates,” *Daily Star*, September 15, 2018, available at <https://www.thedailystar.net/frontpage/news/bnp-finalises-100-party-candidates-1634119>

<sup>12</sup> “Polls-time govt in mid-October,” *The Daily Star*, September 12, 2018, available at <https://www.thedailystar.net/politics/news/bangladesh-election-time-government-formed-mid-october-obaidul-quader-1632355>

<sup>13</sup> “BNP won’t accept AL’s polls-time cabinet: Noman,” *Prothom Alo*, September 11, 2018, available at <https://en.prothomalo.com/bangladesh/news/183221/BNP-won%E2%80%99t-accept-AL%E2%80%99s-polls-time-cabinet-Noman>

<sup>14</sup> “BNP to unveil ‘supportive-govt’ formula,” *Prothom Alo*, September 15, 2018, available at <https://en.prothomalo.com/bangladesh/news/183444/BNP-to-unveil-%E2%80%98supportive-govt%E2%80%99-formula>

<sup>15</sup> Ibid.

<sup>16</sup> “Moudud: BNP getting ready for street agitations,” *Dhaka Tribune*, September 19, 2018, available at <https://www.dhakatribune.com/bangladesh/politics/2018/09/19/moudud-bnp-getting-ready-for-street-agitations>