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Democracy in the context of clientelism: the role of electoral laws in Bangladesh

Since 1991 elections in Bangladesh have been held every five years (except between 2007-2009), with an alternation of power each time. Yet, the democratic era in Bangladesh has seen escalating political violence prior to each election. The use of 'muscle politics' through *mastaans*, regular disruptions to daily life through *hartals*, curfews, and aggressive politics of the street is on the increase. This paper attempts to explore the reason behind electoral violence in Bangladesh and why substantive legal provisions, reforms and formal democratic institutions still remain ineffective in promoting democratic norms.

This paper will attempt to show that the reason behind the failure of Bangladesh's electoral oversight mechanisms is the existence of institutional dualism in the form of patron-client networks. Voters in Bangladesh formulate preferences about candidates based on private distribution of resources (both economic and political) preferring the candidate who is willing to give them the most private gain rather than by comparing policy platforms or ideological positions. Electoral Laws in place have no mechanism to regulate this type of patronage voting – while limitations are in place in order to regulate electoral campaigning, funding, candidate selection etc, this transplanted law fails to comprehend that electioneering in patron-client societies are taking

place on a private level – often on the basis of implicit promises that cannot be regulated.

Current electoral frameworks expect accountability to be based on public policies, political programs and prudent use of public resources. In the patron–client relationships found in neo-patrimonial systems, vertical accountability is a matter of ensuring personal favors and benefits, often at the expense of public concerns and resources. This also makes it imperative for political parties to be in control of state resources and elections become a ‘zero sum game’.

This paper will argue that however good electoral laws in place may be, they fall short of bringing about positive changes towards democratization due to the infiltration of clientelistic behavior amongst actors in all fields.