

Briefing Paper #4 on

Is Bangladesh on the Right Track?

People's Demands and Leadership's Response

November 2024



Briefing Paper #4 on
Is Bangladesh on the Right Track?
People's Demands and Leadership's Response

November 2024

Editorial Oversight: Mubashar Hasan

Prepared by: Aaqib Md Shatil

Edited by: Jyoti Rahman

Cover: Aaqib Md Shatil

Photo credit: Jibon Ahmed/Netra News

Published by: Asia Democracy Network and Sydney Policy and Analysis Centre

Portions of this work may be reproduced and/or translated for non-commercial purposes provided SPAC and ADN are acknowledged as the source of the material.

Websites: www.adnasia.org and www.sydneypolicy.com.au

Email: ADN@adnasia.org and editor@sydneypolicy.com.au

Background

The student-led uprising in July 2024, initially sparked by protests against a quota-based public service recruitment system, culminated in the ousting of Sheikh Hasina's 15-year rule on August 5th, 2024. Her administration was marked by corruption, authoritarianism, and widespread human rights violations. The regime's brutal response to the protests, including 'shoot-at-sight' orders that claimed over 800 lives, triggered nationwide unrest and forced her government to flee.

In the wake of this political upheaval, public demands for structural reforms intensified. The interim government established six commissions to propose key reforms, including introducing bicameral parliamentary systems, term limits for the prime minister, and provisions for election-time caretaker governments. However, debates have emerged over the prioritization of reforms and the timeline for elections, with the chief adviser suggesting polls could occur between December 2025 and June 2026, despite constitutional provisions requiring elections within 90 days of parliament's dissolution.

Public confidence in the interim government has waned. A BRAC survey in October 2024 showed declining approval ratings, with political optimism dropping from 71% to 56% and negative economic outlooks rising to 52%. Amid this uncertainty, the Asia Democracy Network (ADN) and the Sydney Policy and Analysis Centre (SPAC) organized the webinar '*Is Bangladesh on the Right Track? People's Demands and Leadership's Response*' on November 28th, 2024, to assess the government's response to public demands and expectations.

This brief provides a summary of the discussion.

Index

1. Outline and the Discussants	3
2. Key discussion points	4
2.1) Expectations and Interim Government's Dynamics.....	4
2.2) Democratic Transition and Reforms	6
2.3) Economic Recovery	7
2.4) Geopolitical landscape and future relations	8
3. Recommendations	10

1. Outline and the Discussants

The webinar focused on four key areas: the interim government's capacity to meet democratic expectations, an assessment of the constitutional reform process and its alignment with the people's aspirations, an evaluation of the interim government's efforts to stabilize the economy amid high inflation and political uncertainty affecting the private sector, and the challenges for the interim government from complex geopolitical realities.

Four experts joined the webinar:

- Shafiqul Alam, Press Secretary to the Chief Adviser of the Government of Bangladesh
- Cynthia Farid, an advocate of the Supreme Court in Bangladesh
- Israfil Khosru, an entrepreneur
- Zafar Sobhan, the editor of the Bangladesh-based newspaper Dhaka Tribune

Jyoti Rahman, the Director of SPAC, moderated the webinar. Soo Suh, the Senior Program Manager of the Asia Democracy Network, delivered the opening remarks.

2. Key discussion points

2.1) Expectations and Interim Government's Dynamics

On August 5th, 2024, as Sheikh Hasina fled in the face of a mass uprising led by students, almost every member of the parliament fled. On the one hand, there was no prime minister, while on the other hand, no parliament member was available, supported by the majority of the parliament members who could be appointed prime minister, which created a constitutional crisis. The President sought the Supreme Court's opinion to resolve the crisis, and the court opined that the president could form an interim government in this situation.¹

Acting on the Supreme Court's suggestion, the President appointed Muhammad Yunus as the Chief Adviser of the interim government on August 8th, 2024, whose name was proposed by the student leaders who led the uprising against Hasina.

The interim government took over when, due to the lack of credible elections for around 15 years, the governance accountability worsened, and all the state organs were overtly politicized. Hence, since its formation, the interim government has been grappling with maintaining the law and order situation with a politicized and almost dysfunctional administration. Moreover, the challenges around freedom of expression and human rights concerns persist. Therefore, the demand for reformation of the administration, judiciary, security forces, and anti-corruption commission became louder.

Besides, all major political parties and development partners have expressed their expectation for a free and fair election, which will end the decade-long disenfranchisement of Bangladesh's electorates who could not elect their candidates in a credible election in the last three general elections. The electoral system also needs to be reformed to ensure that the country can hold free, fair, and credible elections periodically.

To facilitate a peaceful transition of power and ensure that political parties could not corrupt or manipulate the state's institutions, the government established six reform commissions, four of which would submit their reports in January 2025. Some observers view the government's initiatives—such as the establishment of reform commissions and the initiation of comprehensive judicial reviews—as promising steps toward rectifying past grievances.

¹ Section 106 of Bangladesh's constitution reads: If at any time it appears to the President that a question of law has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to the Appellate Division for consideration and the division may, after such hearing as it thinks fit, report its opinion thereon to the President.

However, critics point out that substantial problems remain unresolved, most notably the controversial Cyber Security Act, which many argue undermines freedom of expression and digital rights. The law was previously used to silence dissenting voices, most notably the journalists investigating corruption against the erstwhile Hasina regime. Sheikh Hasina was named ‘Predator’ by Reporters Without Borders for exploiting the draconian sections of the law to curb freedom of expression and forcing media outlets to impose self-censorship. The law remains a core concern for journalists and human rights defenders.

The interim government has prioritized avoiding state-imposed media censorship to regain public trust and has taken steps to revisit and reassess charges against journalists who faced legal repercussions during the previous regime. This approach aims to foster a more open media landscape and allow critical voices to be heard without fear of reprisal. Besides, the Cyber Security Act has been in the process of being updated with stakeholders’ feedback.

Additionally, statistical evidence shared by police suggests a decline in violent crime rates since August, which may bolster public confidence in the government's ability to maintain safety and order.

Nevertheless, the administration faces ongoing challenges that could hinder its long-term success. Critics stress the government’s heavy reliance on data transparency, arguing that the improvements may not be sustainable without fundamental systemic reforms. The judiciary and criminal justice system are particularly highlighted as key areas needing thorough reform, as they currently suffer from notable inefficiencies and a history of politicization that could undermine the rule of law.

Moreover, there is mounting pressure for the government to prioritize structural reforms while simultaneously responding to public demands for rapid action, particularly concerning fundamental rights and democratic processes. Balancing these priorities is vital, as citizens express a deep desire for reform that addresses their immediate concerns while ensuring long-term governance improvements.

The government’s efforts to stabilize the economy have also gained attention, with reports indicating noteworthy progress in export growth and improvements in fiscal transparency. While encouraging, these developments highlight the complexity of managing high public expectations. Critics argue that meaningful, tangible change requires years of sustained and consistent efforts rather than quick, superficial fixes.

Public engagement will be crucial, as building trust among citizens remains a significant hurdle. Many individuals are still wary of the political elite's capacity and commitment to enact meaningful reforms. As such, the interim government must skillfully navigate this precarious landscape, striving to implement sustainable reforms while addressing the immediate needs and anxieties of the public.

2.2) Democratic Transition and Reforms

Bangladesh's constitution requires elections to be held within 90 days after the dissolution of an elected government. However, the current political situation poses challenges to meeting this timeline. Reform commissions tasked with addressing these challenges play a critical role, but there are growing concerns that their activities may become tools of political convenience used to delay elections under the guise of reform.

The interim government claims that reports from these commissions are essential for guiding necessary reforms before transitioning to an elected government. To ensure accountability and safeguard democratic principles, public oversight of these commissions is essential. Transparent processes and inclusive participation must guide their work to avoid undermining the constitution or eroding public trust further.

Reforming the electoral process involves addressing deep-rooted issues, particularly the historical dominance of the executive branch, which has often overshadowed other vital government institutions. This reform agenda must emphasize rehabilitating critical institutions such as the judiciary and civil administration, both of which have suffered from extensive political interference that has compromised their integrity and effectiveness. However, it is crucial to emphasize that staying within constitutional systems and frameworks is non-negotiable.

Reform efforts must also address inclusivity. The glaring absence of women in key reform panels has raised significant concerns about systemic biases and the disregard for gendered experiences, such as the disproportionate impact of violence and discrimination on women. Excluding women and marginalized groups undermines the legitimacy and sustainability of the reform process and risks perpetuating inequalities in political representation.

Voter fatigue is a significant concern for public engagement in elections, given the series of controversial elections in the last 15 years. Focusing on feasible reforms that can effectively increase voter participation. Experiences from other countries in political transitions demonstrate that overly complicated electoral processes can cause disillusionment and apathy, distancing voters from democracy. Besides, most political parties in Bangladesh are urging for an election by 2025.

It is crucial to prioritize the urgency of electoral transitions and the need for meaningful constitutional reforms. Restoring public trust requires clear actions that show a commitment to justice and democracy. Essential measures include establishing a separation between the judiciary and the executive and creating an independent prosecution service. While these reforms can be complex and may encounter resistance, they are vital for rebuilding faith in the state's ability to deliver impartial justice.

A sustainable reform agenda must prioritize inclusivity, transparency, and long-term stability, ensuring that all segments of society feel represented and engaged in the democratic process. Only through a concerted, participatory effort can Bangladesh hope to navigate its current crisis and emerge with a stronger, more equitable governance framework.

However, it is also essential for all stakeholders to understand that no system in the world is entirely foolproof against the rise of fascism or despotism, and the presentation of reforms and elections as two different options is a false dichotomy. While reforms are a continuous process, meaningful periodic elections hold the government accountable, safeguarding the rights of the people. Hence, reforms and elections can complement each other.

Delays in elections, despite the constitutional requirement of holding an election within 90 days of the parliament's dissolution, can create voter fatigue on the one hand and leave a precedent for future election-time interim governments, who might use this as an example to delay future elections.

2.3) Economic Recovery

The interim government of Bangladesh has assumed control of a delicate economy grappling with rampant inflation, an ineffective banking system, and limited diversification across various sectors. Weak governance systems, characterized by corruption, regulatory capture, and lack of transparency, have exacerbated these challenges, undermining economic resilience.

People are increasingly becoming restless, and survey data shows that the interim government is losing public trust, mostly due to economic challenges such as rising inflation and a lack of employment opportunities.

In recent weeks, however, there have been indications of some stabilization, reflected in an upward trend in exports. This modest improvement is bolstered by the support of international financial institutions, which have provided crucial assistance to revitalize the economy.

Despite these promising signs, business confidence remains notably low. Many entrepreneurs are adopting a cautious 'wait-and-see' strategy, largely due to the continued political uncertainty that looms over the country. This hesitation among business leaders could stifle potential investments and hinder economic growth. Linking governance reforms to economic stability is essential, including ensuring transparency in policymaking, reducing political interference in economic decisions, and establishing independent regulatory bodies. These steps would help create a more predictable and rules-based environment for investors, fostering long-term stability.

Bangladesh's heavy reliance on low-cost labor highlights a critical need for comprehensive reforms within the manufacturing and labor sectors. A functioning democracy requires stronger protection for workers, including fair wages, safe working conditions, and the right to unionize without fear of reprisal. Empowering and protecting the workforce contributes not only to sustainable economic growth but also to greater democratic accountability.

Efforts to diversify the economy must also be viewed as a democratic imperative. Overreliance on elite-controlled sectors limits broader participation in economic activity. A diversified economy would empower marginalized groups, including women and rural communities, strengthening their stake in governance. At the same time, addressing the widening wealth gap through equitable access to resources, education, and healthcare is critical to fostering social cohesion and public trust.

Furthermore, significant reforms in the criminal justice system and regulatory frameworks are necessary to establish a fair economic playing field. Impartial application of laws will help rebuild trust in institutions. Civic engagement in economic policymaking, including mechanisms to involve civil society and labor groups, can further enhance accountability and foster shared responsibility in recovery efforts.

2.4) Geopolitical landscape and future relations

The geopolitical context surrounding Bangladesh significantly complicates its ongoing economic transition, particularly through intricate relationships with neighboring India and the potential alterations in U.S. foreign policy with the arrival of the Trump administration. These have the potential to present additional challenges for the interim government. Undue influence from powerful neighbors or foreign governments can erode sovereignty and weaken public trust in democratic institutions. Maintaining an independent foreign policy is crucial for safeguarding democratic values and ensuring external relations align with national interests.

While there is substantial international confidence in the proposed reform agenda, the success of these plans depends on the transparency and accountability of the interim government. International partnerships should prioritize democratic principles such as human rights, free elections, and the rule of law, rather than short-term political or economic gains. It is essential that reforms are perceived as domestically driven, not externally imposed, to sustain international trust. Collaboration with regional and global partners remains vital, but Bangladesh must avoid over-reliance on any single power. Regional cooperation should be built on mutual respect and equality, preventing asymmetrical dependencies that could undermine democratic sovereignty.

Citizen engagement is critical in foreign policy decisions, as they directly impact trade, security, and migration. Citizens often feel disconnected from foreign policy discussions, even though these decisions have direct implications for their lives. Creating mechanisms for public consultation on key foreign policy initiatives can ensure they reflect collective national interests.

The resilience of Bangladesh's democracy is essential for navigating these complex transitions. Democratic governance, characterized by transparency, inclusivity, and accountability, strengthens the nation's ability to withstand external pressures. Reforms should prioritize enhancing institutional independence and citizen participation to ensure democratic resilience in a complex geopolitical environment.

Finally, Bangladesh's relationship with India highlights the broader power dynamics in the region. Smaller states in South Asia often face challenges asserting their autonomy due to the dominance of regional powers. Proactive diplomacy is needed to balance these power dynamics while prioritizing democratic values and regional solidarity.

Moving forward, Bangladesh's reform agenda should aim for economic stabilization and prioritize democratic deepening. A stable democracy is foundational for achieving sustainable economic growth, social equity, and geopolitical credibility. Bangladesh must actively engage with international democratic coalitions that promote democracy, human rights, and good governance, supporting its efforts toward a flourishing future.

3. Recommendations

- a) Ensure that the reform process is backed by strong constitutional safeguards to prevent political manipulation and ensure institutional independence, separation of powers, and fundamental rights.
- b) Ensure the representation of women and marginalized groups in key reform positions and establish public consultation forums to allow all segments of society to have a voice. Empower youth and civil society organizations by providing them with spaces for engagement and decision-making in the reform agenda
- c) Ensure judicial independence by separating it from the executive and establishing an impartial prosecution service. Protect the judiciary from political interference and implement regular judicial reviews to rebuild public trust
- d) Simplify electoral mechanisms for accessibility and introduce transparent oversight, civic education, and fair processes. Address structural issues to build public confidence in elections.
- e) Promote innovation-driven industries and high-value technologies while strengthening labor protections and fair wages. Empower marginalized groups, including women and rural communities, to drive economic inclusion
- f) Implement conflict resolution mechanisms and strengthen regulatory frameworks to ensure fair, transparent operations. Establish independent oversight bodies and public transparency portals to rebuild investor confidence and hold institutions accountable.
- g) Engage key geopolitical players like India and the U.S. while maintaining an independent foreign policy aligned with national interests. Use diplomacy to communicate reforms as domestically driven and involve citizens in foreign policy decisions to safeguard sovereignty.

Briefing Paper #4 on

Is Bangladesh on the Right Track? People's Demands and Leadership's Response

Published by: Asia Democracy Network and Sydney Policy and Analysis Centre

November 2024