

Briefing Paper #5 on

Election Timing & Institutional Reforms: A Constitutional Debate

March 2025



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**Election Timing & Institutional Reforms: A
Constitutional Debate**

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Background

In the wake of [Bangladesh's historic political shift in August 2024](#), the interim government, led by Nobel laureate Muhammad Yunus, established six commissions to draft proposals for critical institutional and constitutional reforms. These proposals, submitted in early 2025, led to the formation of a national consensus commission to facilitate agreement among political parties.

At the heart of Bangladesh's political dilemma is whether elections should proceed immediately or be delayed for reforms. Years of authoritarian governance, electoral manipulation, and the centralisation of power have left state institutions weakened, raising serious concerns about their ability to oversee a credible democratic transition. While there is broad consensus on the need for institutional restructuring, opinions remain divided. Some argue that postponing elections risks entrenching power further, while others caution that holding elections without reforms may only legitimize a flawed system. Chief Adviser Yunus has announced elections between December 2025 and June 2026, but uncertainty persists due to conflicting government statements prioritizing reforms over elections. Additionally, speculation is growing about the interim government's support for a new party led by student leaders from the 2024 uprising.

A recent survey indicates that most respondents favour elections by 2025, with political and constitutional reforms ranking lower among public expectations. Against this backdrop, ADN and SPAC organized the webinar *Election Timing & Institutional Reforms: A Constitutional Debate* on March 21, 2024.

This brief provides a summary of the discussion.

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1. Outline and the Discussants

The [webinar](#) focused on four key areas: reform proposals and institutional challenges, whether prioritising reforms over the election is a false dichotomy, the potential consequences of delaying the election, and understanding the public sentiment on reforms, elections, and broader political issues. The discussion raised concerns about democratic backsliding and weakened constitutional checks and emphasized lessons from past elections, the role of state institutions, and the need for a fair, transparent process.

Four experts joined the webinar:

- Mustain Zahir, member of the Constitution Reform Commission, Bangladesh
- Rashna Imam, an advocate of the Supreme Court in Bangladesh
- Shamaruh Mirza, co-founder of Sitara's Story
- Md Rubayath Sarwar, Managing Director, Innovision Consulting

Jyoti Rahman, the Director of SPAC, moderated the webinar. Sabra Zahid, the Program Officer of the Asia Democracy Network, delivered the opening remarks.

2. Key discussion points

2.1) Reform Proposals and Institutional Challenges

The mass uprising on August 5th, which led to the fall of Sheikh Hasina's authoritarian regime, created an opportunity for institutional and constitutional reforms. The Yunus-led interim government established six reform commissions focused on key state institutions, including the judiciary, police, and election commission. To build consensus, a National Consensus Commission, led by Professor Muhammad Yunus, has been consulting political parties on these proposed reforms.

2.1.1. The Constitution at the Core of Reforms

At the heart of these efforts is the Constitution Reform Commission, recognizing that past amendments have weakened institutions rather than strengthened them. Over the last 15 years, unchecked executive power has eroded democratic checks and balances, necessitating structural reforms.

The Constitution Reform Commission proposed several reform ideas aimed at enhancing the state's governance. These proposals included modifying the fundamental principles of the state, establishing a balance of power among institutions, limiting the prime minister's absolute power, creating a structure for an interim government to oversee future elections, decentralising the judiciary, and expanding citizens' fundamental rights. Other ideas involved changing the nature of executive power, ensuring fairness in the appointment of constitutional posts (such as election commissioners, Supreme Court judges, etc.), and establishing methods to promote agreement between political parties, primarily through the creation of a National Constitution Council.

While these reforms alone won't resolve all issues, they could serve as a foundation for institutional safeguards and more inclusive governance.

2.1.2 Challenges and Concerns

Despite the urgency of reforms, concerns remain about the minimal consultation with political leaders and the general public, raising doubts about their acceptance and effectiveness. A more inclusive approach could foster greater legitimacy.

Rather than drafting an entirely new constitution, integrating reforms into the existing framework may be a more pragmatic approach. Bangladesh's history of constitutional amendments has often favored ruling parties, underscoring the need for safeguards against future political manipulation.

Additionally, reforms should follow a systematic, phased approach rather than imposing sweeping changes without broad consensus. Many commission members come from urban elite circles, prompting concerns that their proposals might not reflect the needs of the

wider population. The success of these reforms will depend on inclusive consultation, institutional backing, and careful implementation.

2.2) False dichotomy regarding reforms and elections

The timing of the next election and the need for institutional and constitutional reforms before it has been central to Bangladesh's political debates. The Interim Chief Adviser, Muhammad Yunus, stated that elections would be held between December 2025 and June 2026. However, some stakeholders, including interim advisers, often frame elections and reforms as mutually exclusive, arguing that elections could disrupt reforms.

It was agreed that this is a false dichotomy. Free and fair elections are a fundamental right and ensure governance accountability, while reforms are a long-term process. Electoral processes should proceed without delay, with reforms continuing under a legitimate, elected administration.

2.2.1 Risks of Delaying Elections in the Name of Reforms

Acknowledging the trust gap between people and political parties regarding the political parties' commitment to reforms, concerns were raised on how the narrative of positioning reforms before elections could be misused to delay democracy, reflecting strategies typical of authoritarian regimes, such as the one of Sheikh Hasina who used the 'development before democracy' narrative to manipulate the elections in her favour. While implementing structural changes post-election presents challenges, sustaining these reform initiatives requires subsequent elected governments to reach a consensus and facilitate reforms accordingly.

2.2.2 A Balanced Approach: Elections and Reforms Can Proceed Together

To address these concerns, it was suggested that minimal electoral reforms could be quickly implemented to facilitate a fair election, while broader institutional reforms should follow. Concerns were raised that without elections, the system would continue to drift into a legitimacy vacuum, which could lead to instability.

There was a call to focus reform efforts on areas that would ensure free and inclusive elections, such as enhancing the rule of law and maintaining institutional neutrality.

2.2.3 The Role and Mandate of the Interim Government

The absence of a clear mandate for the interim government was also highlighted. After several months in office, it was noted that ambiguity still surrounded the government's responsibilities beyond merely holding elections. This lack of clarity undermined trust and hindered effective governance. It was argued that prioritising elections would help establish a legitimate government capable of undertaking reforms in a transparent and representative manner.

2.3) Implications of Delaying Elections

The discussion highlighted the constitutional and political risks of delaying elections. The interim government's legitimacy is based on the doctrine of necessity following the previous administration's collapse, but this legitimacy is temporary and must be reaffirmed by organising elections on time.

Rising lawlessness and economic stagnation driven uncertainty among businesses and investors were major concerns. Additionally, suspicions have grown that the interim government is favouring the newly formed National Citizen Party (NCP) by delaying elections to give it time to organise. Lavish iftar events, the use of state resources for political programs, and the party's high-profile launch have further fuelled these doubts, raising concerns about fairness and institutional integrity.

There are concerns that delaying the elections could lead to political apathy, especially among the youth, leading to lower voter turnout. Additionally, it was feared that far-right or extremist groups could take advantage of the void created by political stagnation, posing risks to social cohesion.

2.3.1 The Need for a Clear and Limited Mandate

The role of the interim government should be as a facilitator, and they should operate within a limited time frame and with a clearly defined agenda. Although it was stated that a timeline for elections had been repeatedly indicated, doubts were still raised about whether these promises would be fulfilled. The prolonged nature of the interim period, combined with limited engagement from political parties and the public, was seen as a source of growing uncertainty.

2.4) Public Sentiment on reforms and elections

While the interim government's advisers prioritise reforms over elections, [a recent survey](#) showed that 58% of the respondents want an election by the end of 2025. Political or constitutional reforms ranked lower on the list of public priorities. Respondents were primarily concerned with everyday issues such as employment, inflation, and law and order.

2.4.1 Limited Engagement with Constitutional Reforms

The data indicated that while the public acknowledged some reform goals, there was limited awareness or engagement with constitutional processes. It was suggested that unless reforms yielded immediate, visible improvements, they would not resonate with most citizens. The conclusion was that any reform agenda must be linked to measurable outcomes that impact daily life to gain public support.

Concerns were raised that although the interim government had undertaken a significant reform agenda, public expectations regarding everyday issues were only partially met. Therefore, reforms without tangible results might lead to disillusionment among the populace.

2.4.2 Justice and Accountability

Leaders from the student-led party have also prioritized justice for the July uprising victims before the upcoming election. However, it was suggested that the judicial process continue under an elected government rather than an unelected transitional one, as trials could take years to complete. A recent survey showed that while 12.3% of respondents expect the interim government to try the perpetrators, more respondents, 15.7%, think that the future government should ensure justice for murders during the July uprising.

2.5) Conclusion

Elections represent the foundational act of democracy and a process to ensure governance accountability. It was emphasized that credible, neutral, and timely elections are crucial for restoring democratic competition, even if one side dominates the outcome. Delaying the electoral process could allow the ruling government to consolidate power further, undermining the democratic transition. While reforms are necessary, elections—despite potential imperfections—are seen as the only sustainable path forward to ensure that governance reflects the will of the people and to restore legitimacy to the system.

3. Recommendations

a) Adhere to the declared timeline for the next election and hold the election by the end of 2025 to avert the risks of political instabilities. Hold an inclusive election to re-establish democratic governance and ensure a legitimate mandate for reform implementation.

b) Pursue reforms and elections as complementary processes, prioritizing electoral reforms—such as establishing an independent election commission, ensuring transparency in voter lists and results, and regulating campaign finance to facilitate a fair election and create a foundation for long-term democratic reforms.

c) Ensure broader consultation with the public, political parties, marginalized communities, and civil society organizations, and reach a consensus on future reforms. Reforms should follow a participatory process that will enhance legitimacy, transparency and accountability, accommodating the aspirations of all stakeholders.

d) Ensure that the interim government maintains neutrality, refraining from endorsing or supporting new political parties. The interim government should operate with full transparency, providing regular updates on its actions and ensuring that its core function remains focused on facilitating elections and initiating key reforms without undermining democratic competition.

e) Prioritize public demands, such as addressing inflation, ensuring better business opportunities, and creating adequate employment opportunities that can translate into visible, practical improvements in citizens' daily lives. Framing reforms around these outcomes will strengthen public buy-in and democratic legitimacy.

f) Establish a timebound roadmap for the implementation of both electoral and institutional reforms, with a clear monitoring body, involving civil society and international stakeholders, to track progress and ensure accountability.

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