

Brief Democracy Roiled in Bangladesh

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BRIEF

Democracy Roiled in Bangladesh

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Democracy Roiled in Bangladesh

Blanket ban on Bangladesh's Awami League on the pretext of containing terror is farcical and exposes Yunus regime's true colours

In a move unprecedented in political history, Bangladesh's caretaker government, headed by Muhammad Yunus, has imposed a blanket ban on the Awami League (AL), one of the nation's most politically influential parties in history.

The ban, put into effect via newly interpreted anti-terrorism and war crimes acts, represents an unprecedented turn in Bangladesh's political history. With neither public trial nor parliament debate, this action has brought to fore serious issues of political impartiality, deterioration in democratic polity and legitimacy of transitional power.

The consequences are both national and South Asia jeopardizing the democratic fiber of Bangladesh and the stability of the region.



Figure 1Mohd Yunus-led Interim Government

Caretaker governments are usually set up as brief custodians of democratic transition. Their very mandate is to quickly move towards free, fair, and inclusive elections without tampering with the political landscape they inherit.

But in Bangladesh, the interim regime that was put in place without much legitimacy, after the countrywide unrest in July 2024 seems to be exactly doing that. On May 12, 2025, it declared formal proscription of the Awami League, citing revised provisions of the law in the Anti-Terrorism Act and the International Crimes (Tribunals) Act, 1973.

Revisions enacted through executive ordinance allow for not only individual but organizational sanction thus creating a precedent to prohibit political parties outright without due process or legislative oversight.

This action poses basic questions: Can an unelected administration remake the party politics map? Is political erasure compatible with restoring democracy? And what does it mean for regional democratic environment?

At the center of controversy is government's use of amended provisions under Anti-Terrorism Act and International Crimes (Tribunals) Act, 1973. Originally intended to uphold individual responsibility for terrorism or war crimes, the laws have been revised to heap collective punishment on political parties. The exercise to use these provisions



Figure 2 Govt clears Anti-Terrorism ordinance

retrospectively to justify a ban on AL creates a chilling legal precedent skipping the norms of open trial, parliamentary oversight and judicial review.

Awami League - A Snapshot

Awami League established in 1949, one of the major political parties in Bangladesh, was instrumental in promotion of Bengali language and culture against hegemony of Urdu in West Pakistan. It played a crucial role in Bengali Language Movement of 1952 in which Pakistani security personnel opened fire on protesting students demanding that Bengali be recognized as an official language.



Figure 3 Bangladesh Awami League

The Party played a pivotal role in 1971 War of Liberation, spearheading the struggle for independent Bangladesh from Pakistan, under the leadership of Sheikh Mujibur Rahman who became Bangladesh's first president.



Figure 4 Bangladesh Liberation War

Awami League's contribution to struggle for freedom is well recognized, earning it the status of national hero. The party has been credited with bringing democratic reforms

and an inclusive political system to Bangladesh and undertaking several economic development programs and projects including infrastructure.

The party, however, has a convoluted past interwoven with instances of both remarkable success and major controversy. It struggled with corruption, economic instability, political opposition, authoritarianism and human rights violations.

Awami League ruled for extensive periods led by Sheikh Mujibur Rahman and thereafter his daughter Sheikh Hasina. While in opposition, it also experienced repression and violence at the hands of the then-ruling Bangladesh Nationalist Party (BNP).

Interim Government: boon or bane?

In the backdrop of Bangladesh's tumultuous electoral history, the idea of an interim government is particularly important. In the face of ongoing political boycotts, election violence, and democratic legitimacy questions, an interim government, be it constitutionally established or politically conjured, needs to operate within firm normative as well as legal constraints.



Since 1991, Bangladesh has fluctuated between political showdown and constitutional experiments such as the Caretaker Government system (1996–2011). Although 15th

Constitutional Amendment eliminated the caretaker system, repeated demands for temporary neutral oversight reflect profound distrust of state institutions and the electoral process.

Under the circumstances, an interim government – whether formal or de facto – should be directed not only by local expectations but also by international democratic transition and state continuity norms.

As Bangladesh moves toward another election cycle in the midst of profound political distrust and demands for neutrality, talk of an interim government has resurfaced. But history – and international law – leave no doubt: interim governments are not stand-ins for democratic legitimacy but only protectors of a neutral transition.

Bangladesh's own history is special with transitional regimes. From the defunct Caretaker Government regime (1996–2011) that saw three national elections to the tainted 2007–08 military-led interim regime, the lesson remains the same: the interim governments need to be tightly time-bound, non-partisan, and legally bounded.

The 2007–08 caretaker government, initially welcomed for returning stability, turned into an overreach. With military support, it deferred democratic process for almost two years, tried technocratic reform, and detained top political leaders. While it ultimately opened the door to elections, it also was criticised by United Nations and local legal analysts for reportedly eroding civil rights

Under Article 25 of International Covenant on Civil and Political Rights (ICCPR) to which Bangladesh is a signatory state, all citizens are entitled to participate in public affairs and vote in "genuine periodic elections" held freely and fairly. The United Nations General Assembly Resolution 59/201 also exhorts member states to ensure fair governance during transition to elections.

In this context, any caretaker government should:

- Provide free and fair elections without any coercion or state-sponsored bias
- Avoid long-term or structural policy choices, such as international treaties, defense re-organizations or economic restructuring
- Abide by human rights, freedom of the media, and civil liberties set forth in Article 4 of the ICCPR, even in emergency states
- Grant unrestricted access to international observers, journalists, and election monitors, as proposed by the UN Electoral Assistance Division (EAD)

Interim government's only mandate is to establish the preconditions for legitimate elections, not to redesign national policies or perpetuate itself in power under the name of stability. Deviation invites democratic regression.

Awami League & Muhammad Yunus

Bitterness between former Prime Minister Sheikh Hasina's ruling Awami League (AL) and Muhammad Yunus is more than a political feud. It is a coming together of personal resentments, past narratives, and institutional anxiety that represents the underlying crisis of Bangladesh's democratic journey.



Former allies on the world stage, Hasina and Yunus had a common vision of economic empowerment through microcredit. In 1997, Hasina's high profile at the Washington D.C. Microcredit Summit — orchestrated in large part through Yunus's influence — indicated

mutual respect. But as Yunus's international fame grew, his visibility started to challenge Hasina's domestic clout.

The turning point was in 2007, when Yunus ventured briefly into politics during a military-backed caretaker administration, while Hasina was incarcerated. His brief political venture, Nagorik Shakti, preached ideals no different from those of the AL, based on the 1971 Liberation War. To Hasina, it would have been seen not only as opportunism, but an act of betrayal — a possible usurper using worldwide soft power against established political power.

Since then, the relationship has escalated into systematic persecution. In 2011, Hasina's administration deposed Yunus from the Grameen Bank under the veil of age rules, even though he had founded it. The hostility escalated further when the World Bank suspended the Padma Bridge loan in response to allegations of corruption — Hasina holding Yunus responsible for lobbying against the project, although never any proof has been presented.

Yunus's persecution therefore echoes Bangladesh's wider democratic decline, as political opposition and moral capital are brushed off by institutional counterattack.

The hostility is not so much personal — it indicates a political process more and more unwilling to accept parallel legitimacy.

Awami League, anti-democratic?



Awami League has been accused of being at the center of the July 2024 disturbances and being a party to what the Yunus-led regime terms an "illegitimate electoral exercise." No trial, fact-finding commission, or parliamentary inquiry, however, preceded this move. The lack of such institutional checks highlights the unilateral character of the move, compromising the credibility of transitional governance.

The legal ground for the prohibition mirrors a shift away from settled norms of individual criminal responsibility towards collective party punishment. The measures can be seen as structural political erasure, rather than accountability.

Actions of the interim government are also flawed by inconsistency. M. Sakhawat Hossain, Adviser on Home Affairs, ruled out any attempt to ban the AL on August 3, 2024, citing its role in Bangladesh's struggle for independence and political growth. Two months later, he was moved to the Ministry of Textiles and Jute—commonly interpreted as a demotion for ideological deviation.

The proscription has spread to ideological and digital sanitization. AL's online presence has been systematically removed from government and public websites, and its supporting parties have been kept out of political talks. Mahfuj Alam, Special Assistant to the Chief Adviser, termed these allies as having "agreed to genocide" and "aided fascism." The digital erasure of political groups indicates a widening regime of surveillance and censorship.

This type of rhetoric changes the discourse from political responsibility to moral authoritarianism, confusing the boundary between governance and ideological cleansing.

More significant still is the High Court ruling on September 1, 2024, dismissing a writ petition for de-registering the AL. The government, at that point, asserted on record through the office of the Attorney General that it had "no intention of banning any political organisation." The recent u-turn indicates a sharp policy change, probably inspired by factional pressures in the advisory council and from protest forces demanding accountability at all costs.

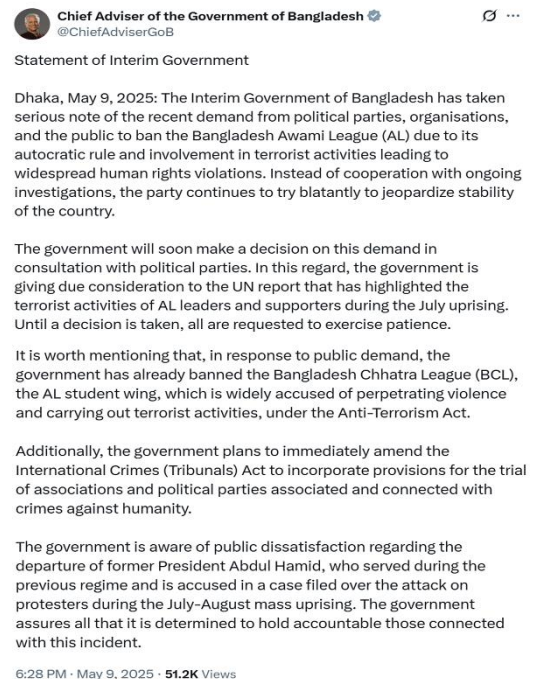


Figure 5 Interim Government Statement on X platform

The effects of the AL ban have not remained within the borders of Bangladesh. On May 13, 2025, the Indian Ministry of External Affairs released an official statement labeling the action as a "concerning development" and underlining the requirement for "inclusive, free, and fair elections." India, being an influential regional power with stakes in Bangladeshi stability, is observing closely, especially considering previous cooperation with the AL on counter-terrorism, trade, and connectivity.

India's formal concern could be a mirror for wider fears regarding spillover impacts, flow of refugees, and interference with cross-border security and infrastructure.

Other global powers, such as the European Union and UN-associated democracy monitors, have also suggested concern, albeit in more subdued language. The unfolding situation may soon require a multilateral reaction.

Such responses suggest regional discomfort, specifically over the consequences for inclusive democratic transition and stability in South Asia.

Parallel to this, the caretaker government has initiated an investigation into how senior AL leaders and former Prime Minister Sheikh Hasina, under cover of a nationwide police strike, left the country between August 5 and 8. Although outlined as a legal inquiry, timing and context point towards political motivation – either to discredit them as being corrupt or lay further grounds for criminal prosecution in absentia.

The action threatens to establish a dangerous precedent of interim, unelected institutions deleting political competition without democratic scrutiny. It contradicts the transitional role of caretaker governments, whose duty is to enable, not impose, election involvement.

Leveraging counterterrorism legislation for political proscription threatens the specter of legal authoritarianism, where sweeping laws are used to crush opposition.

As Bangladesh's Supreme Court has the solemn duty of scrutinizing the constitutionality of the party bans under the newly amended anti-terror legislation, thus upholding the principle of judicial independence, it is for civil society organizations and international human rights bodies to continue playing a complementary role. This would involve rigorously documenting possible rights abuses, raising the issue in international diplomatic and multilateral circles, and backing strong domestic legal action to defend democratic norms and the rule of law.

Concluding Observations

Bangladesh's caretaker government by banning an integral political party, Awami League, is not simply a provisional retribution—it's a systemic discontinuity in the democratic development of Bangladesh. Ensuring law and order is indispensable, but diminishing democratic practices on the pretext of stability can end up sending the nation further down the path toward a crisis in legitimacy.

If not opposed, it creates a precedent in which un-elected transitional authorities can unilaterally reinterpret political legitimacy, criminalize dissent, and authoritatively redefine past contributions. In so doing, the interim government treads the risk of substituting democratic restoration with authoritarian recalibration.

Electoral integrity, transitional power constraints and exercise prudence so that democracy in Bangladesh is not recast in the language of exclusion, before the caretaker model itself is irrevocably disfigured.

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