

The referendum mandate is real, but reform must return to the constitution



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Bangladesh has just staged a rare democratic exercise: a parliamentary election and a referendum on constitutional reform on the same day. The Election Commission has gazetted the referendum result, with 68.59 percent of valid votes backing “Yes” on a turnout a little above 60 percent. The referendum was framed as consent to implement 48 constitutional reform measures under the July National Charter. Yet, within hours of the new parliament’s first oath-taking, the reform roadmap began to unravel, largely because the reform process was built on a legally brittle shortcut.

The fault line sits inside the July National Charter (Constitutional Reform) Implementation Order, 2025. The ballot asked voters to consent to the order and to a bundled set of constitutional reform proposals. In case of a “Yes” win, the order says a constitutional reform council will be constituted, comprising the elected representatives, who will “serve concurrently” as the members of parliament and council members, and the council will have “full authority” to carry out constitutional reforms within a fixed period. It even declares that reforms adopted by the council are “deemed final” without further approval.

To activate that machinery, the order requires a second oath. After taking the parliamentary oath, MPs were meant to take, in the same ceremony, an oath as members of the council. BNP MPs refused that second oath. Salahuddin Ahmed’s public reasoning was blunt: none of them were elected as council members and steps could be taken only after the council was “constitutionally adopted” in parliament. MPs of the Jamaat-led alliance, by contrast, proceeded with the council oath.

BNP’s legal point is not nonsense. An oath is not a slogan; it is a constitutional device that signals where authority comes from and what binds office-holders. If a new constitutional body is to be created, the orthodox route is to amend the constitution first, define that body’s powers, and then prescribe any oath within the constitution’s own schedules and procedures. Forcing a second oath through an executive order, and treating refusal as defiance of “the people,” collapses law into politics. The implementation order itself tries to pre-empt this debate by dressing the council in parliamentary “privileges and immunities,”



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but that is not how constitutional legitimacy is built.

Still, BNP’s posture cannot be romanticised. A party that enjoys a decisive parliamentary majority can cite constitutional purity today and dilute reforms tomorrow. BNP says it remains committed to implementing the July charter. But a referendum “Yes” vote was, at minimum, a demand for constraints on the executive and for institutional guardrails. To treat that demand as optional parliamentary discretion is to turn popular consent into a blank cheque for the next supermajority.

That is precisely the logic that has repeatedly converted constitutional amendments into instruments of partisan entrenchment.

The more uncomfortable truth is that the interim government’s design made this collision almost inevitable. The implementation order is framed in the language of revolutionary legitimacy, invoking the “sovereign will” expressed through the July mass uprising as its

constitutional questions. The High Court previously declared unconstitutional key parts of the 15th Amendment, including the abolition of the caretaker government system, and it also reinstated the referendum requirement for constitutional amendments, with the hearing on the appeals adjourned till March 5. Separately, the Appellate Division in November 2025 reversed the 2011 verdict that had struck down the

accept. Now the system is notionally revived, but parties still dispute what an acceptable caretaker government structure should look like. If this debate becomes just another winner-takes-all bargaining match, the country risks repeating the same crisis one election later, only with new actors and the same temptations.

There is a solution, but it requires abandoning two comforting myths. The first myth is that a referendum can replace constitutional procedure. It cannot. The second myth is that parliamentary supremacy alone guarantees democratic legitimacy. It does not, especially in a polity where parliamentary supermajorities have historically been used to harden executive dominance. The only workable path, then, is to fuse the referendum’s political mandate with constitutionally orthodox, parliament-led lawmaking that can survive judicial review and future transfers of power.

That means the new parliament should initiate a transparent reform process that treats the July charter as a public draft, not as a sacred text and not as a menu. If BNP is sincere, it can table constitutional amendment bills in discrete packages, send them to an all-party committee, hold public hearings, publish draft clauses, and adopt a credible method for caretaker government selection and election-time administration that does not depend on the goodwill of the incumbent. If it wants to preserve the reform council concept, it should first amend the constitution to define the council’s status, powers, relationship with the amendment article, and the oath’s place in the constitution. Then the second oath would be law, not a political test of loyalty.

Just as importantly, the reform agenda should not be held hostage to the most contentious constitutional redesigns. Many governance reforms can be pursued through ordinary laws and institutional practice while constitutional questions are debated in the open. An overview of the July charter process captures both the ambition and the dissent that make genuine implementation harder than slogans suggest. Early, concrete improvements in election administration, policing, judicial appointments, and anti-corruption enforcement would help rebuild public trust and reduce the cynicism that grows when elites spend months arguing over procedure while everyday impunity continues.

The referendum result is not the end of the reform debate. It is the beginning of a constitutional test. Bangladesh can either treat law as a tool to rationalise political power, or treat law as the discipline that keeps power from devouring the republic. The difference will not be decided by who took which oath on day one. It will be decided by whether the winners choose constitutional restraint when restraint is against their immediate interest.

authority. That may be emotionally resonant, but constitution-making by proclamation rarely produces durable constitutionalism. Predictably, litigation has already begun. A writ petition has already been filed with the High Court challenging the legality of the referendum and seeking cancellation of its results. Once courts are invited into a transition’s political design, the timeline stops being controlled by reformers and starts being controlled by litigation.

This is happening in a legal environment already crowded with sub-judice

13th Amendment, restoring the caretaker system prospectively from the next election cycle. In short, Bangladesh is trying to “implement” constitutional changes while the constitution’s recent past is still being litigated.

The caretaker government issue illustrates why shortcut constitutional engineering is dangerous. The abolition of the caretaker government system, justified politically by a court verdict and then entrenched legislatively, became the gateway to elections that large parts of the country did not

The new prime minister faces tough tests ahead



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A landslide victory often feels like a coronation. Streets erupt, social media lights up, and the mandate seems unassailable. For the Bangladesh Nationalist Party (BNP) and the newly sworn-in Prime Minister Tarique Rahman, this was no ordinary victory. Winning 212 out of the 297 parliamentary seats with confirmed results, the BNP has secured a mandate that few could have imagined a decade ago. Analysts and observers alike attribute this overwhelming success to Tarique Rahman’s strategic vision, disciplined organisational leadership, and ability to connect with voters across urban and rural divides. His stewardship transformed fragmented opposition energy into coordinated campaigns while mobilising the party’s grassroots network with remarkable efficiency.

Yet, even as celebrations sweep the country, the scale of triumph brings both opportunity and burden. Electoral dominance provides unmatched authority, but it also raises expectations, heightens scrutiny, and draws the attention of both domestic and international adversaries. As the BNP returns to power after two decades, Tarique Rahman’s challenge now is to translate electoral success into stable governance and institutional credibility, and to sustain public trust.

Over the years, the state machinery—civil bureaucracy, law enforcement, and regulatory bodies—has been shaped by partisan politics. As a new political figure, as prime minister for the first time in 30 years, Tarique Rahman’s leadership will be tested in asserting authority

while avoiding institutional paralysis. Sweeping purges may satisfy loyalists, but risk alienating essential civil servants, while excessive restraint could frustrate grassroots supporters eager for rapid “correction” of past grievances. Restoring faith in public institutions will require visible commitment to the rule of law, judicial independence, and merit-based appointments. Here, Tarique needs to balance assertiveness with prudence, signalling change while preserving continuity, and demonstrate that a landslide mandate can be exercised responsibly.

The opposition remains a formidable challenge. While the Awami League remains weakened, it can still mobilise public demonstrations in the future. Meanwhile, Jamaat-e-Islami—which secured 68 seats, while its allies got nine—is poised to be a vocal and organised adversary with its strong parliamentary representation and enduring street-level influence. Tarique Rahman’s ability to manage these dynamics—containing parliamentary obstruction, preempting street mobilisations, and countering political narratives—will define the durability of his administration. The challenge, again, lies in striking the right balance: projecting strength without provoking instability and demonstrating responsiveness without appearing indecisive.

Even with 212 seats, electoral victory does not eliminate the need for diplomacy, both at home and abroad. International observers, particularly in Western capitals, remain attentive to policies that might empower

radical elements at the expense of women’s rights, minority protections, or counterterrorism commitments. Every major domestic decision may carry international implications. Tarique will need to reassure both foreign partners and domestic constituencies that Bangladesh will be governed responsibly henceforth.

Foreign relations will test the government’s strategic capacity. Relations with India, Bangladesh’s key partner, must be carefully managed. Past tensions over trade, border management, and regional cooperation make New Delhi cautious. Any misstep could spill into economic consequences, particularly in sectors dependent on regional stability. Moreover, over-accommodation risks domestic criticism from nationalist supporters. At the same time, China remains a vital partner, particularly in infrastructure and investment through the Belt and Road Initiative. Western governments continue to emphasise democratic governance, labour standards, and trade credibility. Tarique Rahman’s ability to navigate these complex diplomatic currents by asserting Bangladesh’s interests without alienating key partners will be central to his legacy.

Economic realities amplify the stakes. Inflationary pressures, foreign exchange constraints, and global supply chain volatility limit fiscal manoeuvring. Public expectations are soaring—job creation, energy stability, and price moderation are anticipated immediately. Structural reforms, including banking transparency, revenue mobilisation, and subsidy rationalisation, are essential and politically sensitive. The newly sworn-in PM’s leadership will be judged on whether the BNP can convert electoral euphoria into tangible economic outcomes. Managing competition within the party—senior leaders seeking influence over young reformists advocating modernisation—will require both political savvy and managerial skill.

Tarique Rahman’s decades-long

political career has been marked by exile, controversy, and polarising rhetoric. Now, as prime minister, his personal transition from opposition figure to head of government will be closely scrutinised. He must demonstrate inclusive leadership, institutional respect, and governance competence. Concentrating power too tightly risks internal resentment; delegating too widely risks

incoherence. Navigating this balance, while the nation watches, will test not only his political instincts but also his capacity to inspire confidence across Bangladesh’s divided society. Leadership in this context is less about electoral rhetoric and more about discipline, pragmatic governance, and the ability to deliver results under pressure.

If Tarique Rahman can leverage

his electoral triumph into inclusive governance, pragmatic foreign policy, and meaningful economic reform, this victory could mark a significant turning point for Bangladesh. If not, the landslide may become the opening chapter in yet another cycle of political confrontation—proving, once again, that in politics, the bigger the victory, the lonelier and more complex the road ahead.



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CORRIGENDUM OF Invitation for e-Tender

Memo No-44.01.0000.057.11.045.25/1616/Betar Date: 18-02-2026.

Ministry/Division	Ministry of Home Affairs
Agency	Bangladesh Police
Procuring Entity Name	SP (Logistics), Police Telecom Organization
Invitation for	Designing, Supplying and Installing of 150-feet 3-Leg Self-Supported Tower.
e-Tender ID	1223557
Tender last selling date	01-03-2026.
Corrected Tender last selling date	05-03-2026.
Tender closing date and time	02-03-2026 at 12:30 hrs.
Corrected Tender closing date and time	08-03-2026 at 12:30 hrs.
Tender opening date and time :	02-03-2026 at 12:30 hrs.
Corrected Tender opening date and time	08-03-2026 at 12:30 hrs.



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