Journal of Contemporary Local Politics, 4 (1) June 2025, 107-116
ISSN: 2830-6120 (Online)
Available Online at https://journal.ppishk.org/index.php/jclp

Election in Bangladesh: Challenges to Conduct Free and Fair Election

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Received: 20 April 2025; Revised: 24 May 2025; Accepted: 28 June 2025

ABSTRACT - *This paper investigates the impediments to free and fair elections in Bangladesh, examines the effects of electoral violence and partisanship on democracy, and suggests reforms for clean and representative election processes. A descriptive qualitative design and content analysis are used in this study to find and explain typical patterns of electoral malpractices, intimidation of voters, political violence, and institutional bias in Bangladesh's elections. The study finds that deep-seated political interference, electoral violence, and institutional flaws compromise electoral integrity in Bangladesh, particularly the absence of an independent Election Commission. These have diminished voter confidence, opposition boycotts, and democratic regression. To uphold electoral integrity in Bangladesh, the study recommends comprehensive political, legal, and institutional reforms. These include ensuring the independence of the Election Commission (EC), enforcing campaign finance laws, preventing pre-election violence, protecting media freedom, fostering inter-party consensus, and enhancing election monitoring mechanisms. In the future, studies on election governance in similar democracies, the prospects of electronic voting for fraud prevention, and the effect of reforms on democratic consolidation in Bangladesh are envisaged.*

Keywords: *electoral; election commission; violence; democracy; bangladesh*

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How to Cite: Baized, M. N. H., Rahman, A., Ferdous, J. (2025). Election in Bangladesh: Challenges to Conduct Free and Fair Election. *Journal of Contemporary Local Politics, 4*(1), 107-116. https://doi.org/10.46507/jclp.v4i1.699

Permalink/DOI: https://doi.org/10.46507/jclp.v4i1.699

Introduction

In democratic countries, elections are more than just ceremonial events; they serve as a conduit between the legitimacy of political governance and the freedom of the populace (Abdullah, 2018). According to Huque & Hakim (1993), elections are seen as one of the essential components of the democratic system that allow voters to exercise their choice in how the system is managed. The electorate has both direct and indirect decision-making authority. For instance, in Bangladesh, members of parliament are chosen directly by the voters, and the prime minister is either the leader of the victorious party or a designated individual. He took over as the government's leader. However, the MPs' votes elect the president. The president is genuinely chosen by the people's chosen representatives, even though the people do not directly participate. The first general election following Bangladesh's independence took place in 1973. Following that, elections were held in 1979, 1985, 1988, 1991, 1996, 2001, 2008, 2014, and 2018. However, the 1979 election was a yes/no vote for General Zia and was not without errors. The First-Past-The-Post (FPTP) system is a straightforward plurality voting method used in Bangladesh's election system. Fifty of the 350 parliamentary seats up for election in Bangladesh are designated for women. The 300 directly elected seats are filled by the candidate who receives the most votes in a constituency. The 50 reserved seats are filled using a proportional representation system, which assigns a specific number of seats to each party according to the percentage of the overall vote that each party earned. The foundation of the nation's democratic governance is the parliamentary system. The present electoral system in Bangladesh has existed since 1996. It has received praise for being honest and unbiased (Hossain, 2023).

Bangladesh's independence from Pakistan was made possible by the 1970 election, which was regarded as the "fairest and cleanest" in Pakistani history. Nevertheless, in the 53 years after gaining independence, Bangladesh has not succeeded in instituting a reliable voting system. Elections conducted under political administrations lacked credibility; some were even deemed absurd, even though all elections conducted under caretaker governments (CG) were considered largely free and fair (Alim, 2024). The transition of state power is meant to occur peacefully and without violence in a democracy. The opposite occurs before, during, and after the elections. Competing parties use physical violence against opposition candidates and their followers to win the elections because they fear losing at the polls (Toyoda, 2012). The primary cause is the political meddling in election administration by political regimes since 1972. To maintain their hold on power, the ruling class typically holds purely ceremonial and decorative elections, depriving the Bangladesh Election Commission (BEC) of its independence and politicizing other electorally responsible institutions like the judiciary, local government, and law enforcement to sway election outcomes (Alim, 2024). There is a big divide between political parties and interested parties regarding election governance. Organizing the National Parliamentary elections presented numerous challenges for the Election Commission. However, the impartiality and independence of the Bangladeshi Election Commission have come under scrutiny. Political parties have typically not cooperated when it comes to organizing elections. In certain instances, the government's inadequate role during the election raises concerns about the electoral system (Akter, 2023).

This paper aims to investigate two main issues about electoral difficulties in Bangladesh. First, what are the main political, institutional, and structural elements causing electoral issues and hindering the country's ability to hold free and fair elections? Second, what impact do

electoral violence, the partisan conduct of political parties, and the Bangladesh Election Commission's lack of independence have on the credibility and integrity of national elections?

This paper's primary goals are threefold. First, it seeks to find and examine the significant political, institutional, and structural elements obstructing fair elections in Bangladesh. Second, the study investigates how electoral violence, political partisanship, and the Election Commission's lack of independence impact the democratic process. Third, it proposes practical and sustainable solutions to overcome these challenges and strengthen the democratic framework by ensuring transparent, credible, and inclusive electoral practices in Bangladesh.

This paper emphasizes examining the major obstacles to holding free and fair elections in Bangladesh, including political meddling, electoral violence, misuse of state resources, and the lack of independence of the Election Commission (EC). It looks at past electoral anomalies, the political impact of money, and structural flaws in the legal framework. While recommending future research paths for democratic consolidation, the paper also investigates possible changes to improve electoral integrity, including institutional autonomy, campaign money control, and non-partisan election management.

Method

This study uses a descriptive-qualitative method to examine the electoral issues in Bangladesh and the obstacles to holding free and fair elections. This approach was selected to enable a thorough knowledge of the structural, legal, and political aspects influencing voting integrity. The study uses only secondary data to investigate how electoral institutions, political actors, and governance systems affect election results. The information utilized for the study consists solely of secondary sources: research journals, books, official reports of the Bangladesh Election Commission, Transparency International Bangladesh (TIB) reports, Human Rights Watch reports, International Crisis Group reports, media reports, and editorials of newspapers such as The Daily Star, Prothom Alo, and New Age. Purposively choosing these sources depends on their relevance, credibility, and addition to knowledge of election processes in Bangladesh. The study also incorporates constitutional clauses, electoral laws, and necessary amendments to review the institutional framework of elections. Under content analysis, data analysis recognized recurring patterns such as electoral malpractices, voter suppression, political violence, and institutional bias. The patterns were then classified to establish their effect on the fairness and transparency of the electoral process. Source triangulation ensured data validity by cross-document and cross-perspective verification of information, enhancing reliability. This study aims to provide a holistic and systematic insight into the threats faced by democratic voting systems in Bangladesh and direct future changes.

Result and Discussion

The most crucial element of political culture for the growth of democracy is a free, fair, and credible election. The populace chooses capable representatives through the official election process and gives them authority over the government (Akter, 2023). The existing political climate adversely affects a free and fair election in Bangladesh (Momen & Begum, 2014). Bangladesh's election process is influenced by several factors, including violence, irregularities, financial and physical strength, and the election commission's (EC) partisan or feeble role. The obstacles to free and fair elections are as follows. Every national election also brings with it

several other problems. Political, not constitutional or administrative, is the obstacle to Bangladesh's free and fair national election. Political parties themselves are to blame for Bangladesh's electoral issues. The political parties' actions demonstrate this during the election (Abdullah, 2018).

Historical Overview of Electoral Irregularities

Bangladesh has seen multiple contentious elections with notable anomalies since gaining independence in 1971, hurting the democratic process. Implementing the Caretaker Government (CTG) system in 1996, which was intended to guarantee an impartial electoral process, failed to stop problems like voter intimidation and rigging, making it one of the most significant turning points in history (Prodip & Rabbani, 2014). The Awami League (AL) won the election, which was regarded as reasonably competitive despite these issues. Nevertheless, the 2001 general election was quite polarising, with the alliance led by the Bangladesh Nationalist Party (BNP) winning despite great violence, vote-buying, ballot-box stuffing, and claims of state resources being used to support governing party candidates. The election drew attention to how law enforcement helped the ruling party and inspired demands for electoral reform. The 2014 election was among the most concerning times in Bangladesh's voting history. Major opposition parties like the BNP boycotted the election to call for an impartial caretaker government, which sparked widespread protests and violence (International Crisis Group, 2024). When claims of ballot fraud, voter intimidation, and false results tainted the Awami League's victory, the world community voiced concerns about the election's legitimacy. Likewise, the AL-led coalition managed to retain power in the 2018 election amid claims of electoral fraud, vote-rigging, and political violence. Stories of media censorship eroded even more the legitimacy of the election, opposition polling agent expulsion, and ballot stuffing. This same pattern was seen in the 2024 election, which was marked by significant fraud claims, mass voter manipulation, and a lack of competition. The incumbent AL claimed a resounding win, securing 284 out of 298 seats, while key opposition parties boycotted. The Election Commission's assertions of a 40% voter turnout were hotly contested with allegations of fabricated lines and ballot stuffing. The election system's persistent problems were brought to light by the repression of opposition candidates and vote-rigging (Mustafa, 2024). Public confidence in the electoral process and the more extensive democratic system is weakened by these anomalies, which show a persistent pattern of manipulation and repression throughout several elections. Significant reforms are desperately needed to guarantee free, fair, and competitive elections in the future, as evidenced by the persistent electoral malpractices.

The Impact of Money on Elections

Money influence in elections is a common scenario in Bangladesh. During election season, it occurs in several significant ways. Purchasing nominations from reputable political parties is one clear and common use of funds. This is often called "nomination trade" or "manonayanbanijya." To be considered for the position, candidates frequently give expensive gifts or large sums of money to influential party leaders (Abdullah, 2018). Money politics has been a new but essential part of Bangladesh's political economy since the middle of the 1980s. According to Ahmed (2001), money is crucial for influencing local and national elections and party policies. Candidates in Bangladesh spend anywhere from Tk 5 to 10 crore to obtain nominations and to run their campaigns, making elections a costly event (Alamgir, 2025). The issue has gotten worse in

recent years, especially during the last four elections, which took place between 2009 and 2024, and during which time the power of money in politics has significantly grown. Many aspiring politicians have faced obstacles due to the growing expenses of electioneering, especially those from less wealthy families and marginalized groups like women and young people (Alamgir, 2025).

This issue is worsened by the lack of law enforcement, which permits unbridled money influence. As a result, wealthy businesspeople who control parliamentary seats and put their own or their company's interests ahead of the general welfare are increasingly favored in elections (Academy & Ahmed, 2013). In addition to fostering corruption, cronyism, and voter disenfranchisement, this undermines the concepts of democratic equality and accountability. Election management suffers when money takes the role of merit in politics, undermining democratic institutions and eroding public confidence in the electoral process (Jahan, 2018). The goal of free and fair elections in Bangladesh is still unattainable in the absence of reforms to stop money politics and uphold campaign finance regulations.

Electoral Violence and Its Threat to Democratic Integrity in Bangladesh

Electoral violence in Bangladesh has physical, psychological, and structural impacts, both short and long-term. It threatens human security through injuries, death, and displacement, especially affecting the poor, whose livelihoods are disrupted. Victims may suffer lifelong disabilities, leading to family hardship. Psychologically, fear is instilled through threats and intimidation, causing mental distress. Structurally, electoral violence damages infrastructure, property, and the environment, contributing to broader economic and social instability (Omotola, 2011). The fairness and integrity of Bangladeshi elections are seriously threatened by electoral violence. A notable illustration of how electoral violence, which results from political rivalry, institutional flaws, and a lack of trust, can erode democratic processes is the 10th parliamentary election held in 2014. According to scholars, when elections are viewed as unfair or unresponsive, stakeholders may act outside the law to sway the results, leading to electoral violence (Nwatu, 2018)(Ebiziem, 2015). Due to the 15th constitutional amendment's repeal of the caretaker government (CTG) clause, the BNP-led 20-party alliance boycotted the election, which led to widespread violence and an uncompetitive atmosphere (Lorch, 2014)(Mollah & Jahan, 2018).

Electoral violence in Bangladesh seriously hones the ability to hold free and fair elections, especially during the 2024 elections. The issues of maintaining electoral integrity are highlighted by the widespread violence, which included at least 781 events that resulted in 43 deaths and 2,538 injuries (HRSS, 2022). Assaults on minority communities, election officials, and opposition supporters, as well as cases of ballot box theft and arson, undermine the credibility of the democratic process. Political intimidation, focused violence, and a lack of security make it increasingly difficult to guarantee a fair and inclusive electoral environment (HRSS, 2022).

Long-standing enmity between the Bangladesh Nationalist Party (BNP) and the Awami League (AL) exacerbated tensions by promoting a confrontational political culture. Longstanding animosity between these groups, which hindered consensus on an unbiased election administration, increased the likelihood of violence (BIGD, 2013)(Chowdhury, 2014). Those who boycotted the election were charged with plotting attempts to undermine the process and targeted violence, especially against minority populations, caused by a lack of voter protection (Human Rights Watch, 2014)(Nanes, 2016).

Its politicization and dependence on the executive branch further eroded the Election Commission's neutrality, making it hard to stop electoral violence and ensure fair competition(Huda, 2013). Violent disruptions and minimal participation raised doubts about the next government's legitimacy, weakening democratic institutions(Khan, 2015). Unless political consensus, institutional independence, and voter protection are guaranteed, electoral violence remains a significant obstacle to free and fair elections in Bangladesh.

Manipulation of Electoral Institutions and the Crisis of Democratic Legitimacy

The democratic integrity of Bangladesh has been undermined by the systematic manipulation of the electoral process by political actors, especially the ruling Awami League, for partisan and personal advantage (Rahman, 2024). Legal, administrative, and procedural frameworks are all affected by this manipulation. The elimination of the nonpartisan caretaker government system, which had previously guaranteed electoral neutrality, in 2011 marked a sea change. This constitutional amendment raised questions about electoral fraud, bias, and a lack of transparency by enabling the incumbent party to hold elections while in power. Standard practices include disqualifying opposition candidates, packing ballots, rejecting legitimate nominations, and influencing election authorities. Law enforcement organizations have frequently participated in the suppression of minority and opposition votes.

This situation has been made worse by electoral violence. Political violence within the ruling party claimed 146 lives and injured over 10,000 between 2013 and 2017 (Hasanuzzaman, 2018) (Akter, 2023). Fifteen people died in election-related confrontations, hundreds were injured, over 800 opposition activists were detained, and dozens of candidates were attacked during the 11th legislative election alone (Akter, 2023). Public disenchantment is increased, and such acts of violence and intimidation further undermine confidence in the democratic process.

The Election Commission (EC) has had difficulty exercising genuine autonomy despite the constitutional and legal authority assigned to it, such as that provided by the Representation of the People Order (RPO) 1972. Although legally sound, critics contend that Bangladesh's EC operates symbolically and mainly relies on the executive for operational resources (Hossain, 2014). Although the 2022 Enforcement Act sought to formalize the election commissioners' appointment procedure, it could not break the EC's political connections, maintaining its subordination to the governing party (Akter, 2023).

Moreover, political parties' internal democracy is woefully inadequate. Dynastic elite control, sporadic leadership transitions, and a dearth of intra-party elections plague major parties like the AL and BNP (Ahmed, 2001). These undemocratic behaviors foster a patronage-driven political system that puts individual loyalty ahead of the general welfare, which also reduces meritocratic participation.

According to constitutional provisions, the EC is responsible for political party registration (Akter, 2023). Although more than 90 parties have run in elections, including unregistered ones, only around 40 parties are currently formally registered, which raises questions about regulatory monitoring. In addition to holding elections, the EC's duties include ensuring the legitimacy and inclusion of the democratic process. But its legitimacy is questioned when it doesn't act assertively or impartially.

Beyond merely following the rules, a democratic election necessitates collaboration between the government, civic society, and political parties. Free and fair elections turn

performative rather than substantive without a common commitment to democratic principles. The public's trust in democratic governance and electoral neutrality is seriously threatened if political manipulation, violence, and institutional capture continue to characterize the electoral environment.

Misuse of State Resources

The misuse of state resources during Bangladesh elections has raised serious concerns about media bias, administrative favoritism, and abuse of law enforcement. A nationwide survey revealed extensive use of public property and state resources, especially by the ruling Awami League, for election campaigning. Government vehicles, buildings, and events were used for partisan purposes, violating the principles of a level playing field (DhakaTribune, 2013). The Election Commission failed to prevent such violations, undermining its credibility. Media freedom was heavily restricted, with journalists facing censorship, violence, and arrest under the Digital Security Act. Pro-government bias was prevalent, while opposition voices were silenced. Law enforcement agencies were widely accused of acting in a partisan manner arresting thousands of opposition supporters and allowing ruling party activists to occupy polling stations and intimidate voters. Reports of ballot stuffing, voter denial, and even violent incidents, such as gang rape linked to political retaliation, highlighted the gravity of the situation. International observers and governments criticized the election for lacking transparency and fairness. The consistent misuse of administrative power and state machinery not only undermines democratic norms but violates Bangladesh's obligations under international law, particularly Article 25 of the ICCPR, which guarantees free and fair elections (Human Rights Watch, 2014).

Structural Challenges and Legal Frameworks Undermining Electoral Integrity

Articles 118–126 of the Bangladeshi Constitution outline precise rules for establishing the Election Commission (EC), its powers, and its duties in holding elections to fortify the EC even further and guarantee the impartiality of the government throughout the election period. Notwithstanding these constitutional protections, the EC's ongoing inability to hold impartial, free, fair, and participatory elections is a significant factor in Bangladesh's current political instability (Akter, 2023). Public confidence in the democratic process has been seriously damaged by the numerous scandals and irregularities that have dogged Bangladesh's electoral history since 1971. For example, the 1996 general election saw voter intimidation and manipulation, damaging its legitimacy even though the Caretaker Government system was introduced to maintain neutrality. Political polarisation grew even further during the 2001 election when there were several allegations of ballot stuffing, vote-buying, and the abuse of public funds to support the ruling party. Similarly, the incumbent Awami League (AL) maintained power in the face of violence and widespread electoral irregularities, such as vote-rigging and coercion, during the 2014 election, which was boycotted by key opposition parties and lacked inclusivity and competition (Hossain, 2022). A similar pattern was seen in the 2018 general election, which raised doubts among observers due to severe claims of electoral fraud, media control, and the systematic silencing of opposition voices. The EC's structural shortcomings were most recently revealed in the 2024 election when the ruling party won a landslide victory while the main opposition boycotted. Reliable reports also revealed widespread voter intimidation, ballot manipulation, and the use of state resources to engineer a favorable outcome.

The EC's role has been primarily symbolic, even though the Representation of the People Order (RPO) of 1972 and constitutional mandates have given it substantial legal authority—some contend even more than India's EC. The EC has been reduced to a supporting function as successive governments, including the first, second, third, fourth, sixth, tenth, and eleventh national governments, have disproportionately influenced the electoral process. The EC's incapacity has exacerbated public disenchantment with elections to exercise its authority and fend off political meddling independently. Hossain (2014) asserts that the European Commission's ineffectiveness stems from its lack of operational and ideological autonomy, frequently failing to exhibit the firmness required to preserve democratic norms. The EC is nonetheless operationally dependent on the executive branch, particularly for administrative and law enforcement support during elections, although being structurally and financially autonomous as defined by Articles 88(2), (3), 7(1), (2), and 16 of the Constitution. This reliance compromises its independence and neutrality.

To formalize the appointment procedure for the Chief Election Commissioner and other commissioners by Article 118(1) of the Constitution, the government passed the Enforcement Act in 2022 in response to this problem. According to critics, the new law does not address the more fundamental issue of independence because it maintains the EC's subordination to the government. Government-EC cooperation is essential, but the integrity of the election is jeopardized when it results in control rather than cooperation. Furthermore, poor voter turnout, the lack of opposition, and a lack of transparency have raised serious doubts about the legality of recent elections, especially the 10th and 11th legislative elections (Abedin, 2020)(Huque & Hakim, 1993). Since elections are the foundation of democracy, Bangladesh's democratic government is seriously threatened by the ongoing inability to guarantee free and fair elections.

Conclusion

The study highlights the deep-rooted challenges to conducting free and fair elections in Bangladesh, including political interference, electoral violence, misuse of state resources, and the lack of institutional independence of the Election Commission (EC). A historical overview indicates that irregularities have persistently tainted polls under party governments; those conducted under caretaker regimes (1991–2008) were highly credible (Alim, 2024). The removal of the caretaker government system in 2011 allowed ruling parties to utilize legal, administrative, and coercive means to manipulate elections, further eroding electoral integrity (Rahman, 2024). Executive interference has rendered the EC incapable of guaranteeing neutrality despite constitutional protection, eroding public confidence in democracy (Hossain, 2014). In addition, money politics, vote suppression, and violence—particularly against minorities and members of the opposition—have also influenced election results (HRSS, 2022)(Alamgir, 2025). By causing declining voter turnout, opposition boycotts, and disputed election results, these recurring weaknesses have destabilized democracy.

These problems demand political, legal, and structural reforms. The EC first needs total autonomy, transparent appointment procedures, financial independence, and enforcement power to lower electoral fraud. Restoring neutrality in election administration might restore a reformed caretaker government system under strict supervision (Abdullah, 2018). Second, strict campaign finance laws should be followed to minimize money's influence on politics, ensuring a level playing field for all candidates (Jahan, 2018). Third, non-partisan security strategies such as deploying

neutral law enforcement and severe political intimidation penalties could help manage electoral violence (Omotola, 2011). Fourth, legal reforms should ensure media freedom and prevent the misuse of policies, including the Digital Security Act, to suppress dissent (Human Rights Watch, 2014). Encouraging inter-party discussions to reach a consensus on election laws—including the EC's role and conflict resolution mechanisms—will ultimately help long-term stability (Chowdhury, 2014). Elections should be extensively monitored by civic society and international observers to increase transparency. Future research should examine election governance in similar democracies, assess the feasibility of digital voting technology to reduce fraud and explore the socio-political impact of electoral improvements on democratic consolidation in Bangladesh.

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