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Managing Political Violence

Tazeen M Murshid

Professor, International Politics and History Development Research Cooperation, Brussels

Abstract

The right to freedom from violence is a human right. All violence is political in that violence is both the cause and result of unequal power relations; i.e., the stronger violates the weaker. Certain forms of political violence are linked directly to the political process such as the transfer of power, elections and political participation. Conflict arises when there is resistance to powerful groups who seem to unfairly manipulate the political system to capture and hold on to power. The inability of the state to mediate between competing interests as an impartial arbitrator can create a vacuum wherein anarchic tendencies grow; the values of freedom, tolerance and pluralism are compromised, permitting unfettered mindless gratuitous violence and opening inroads to the politics of radicalism among the excluded and marginalised. Political violence thus needs to be managed with the objective of eradicating it. This paper studies political violence in the context of the electoral process. It explores changing trends in the electoral cycle from 1991 to 2001 and the controversy over the caretaker government in 1996 and 2014. It is based largely on field work involving content analysis of newspapers and focus group discussions conducted in Dhaka. It suggests that the state must create an enabling environment through compromise and cooperation while rejecting a monolithic partisan approach to governance in order to restore trust, political certainty and confidence in inclusive participation. This would facilitate the protection and preservation of human rights.

Key words: political violence, elections, impartial arbitrator, political uncertainty, trust, inclusion and exclusion

1 Introduction

The paper endorses the view that citizens and subjects are entitled to freedom from violence as it constitutes a fundamental human right. However, the right to freedom from violence is threatened by unequal power relations. In fact, violence is both the cause and result of such inequality, i.e., the stronger violates the weaker. The paper also notes that all forms of violence are political, in that these cause inequality of outcomes, such as reduced access to opportunities, sources of wealth, education, and power. Certain forms of political violence are linked directly to the political process such as the transfer of power, elections and political participation. Conflict arises when there is resistance to powerful groups who seem to unfairly manipulate the political system to capture and hold on to power. Conflict is understood here in terms of class or ideological difference, elite conflict over scarce resources, ethnic or identity conflict, and a struggle defined by patron-client relations. The violence unleashed is harmful for the economy, polity and society. Subtle forms of routine violence mostly go unnoticed, whereas overt physical and political violence, leave more obvious marks as it undermines the economy, restricts the space for political interaction, particularly by women and polarises society. Local contexts may be further complicated by globalisation, restricted sovereignty and the developmental demands of a burgeoning population with limited access to resources. Moreover, the inability of the weak state to mediate between competing interests can create a vacuum wherein anarchic tendencies grow; the values of freedom, tolerance and pluralism are compromised, permitting unfettered mindless gratuitous violence and opening inroads to the politics of radicalism among the excluded and marginalised. Political violence thus needs to be managed with the objective of eradicating it.

This paper studies political violence in the context of the electoral process. It explores changing trends in the electoral cycle from 1991 to 2001 in Bangladesh and reflects on the controversy over the caretaker government issue in 1996 and 2014. It also examines the case of Lalbagh thana as a barometer of the worst-case political temperature of Bangladesh as it was the most crime-ridden constituency in Dhaka District. The paper is based largely on field work involving content analysis of newspapers and focus group discussions conducted in Dhaka in 2006-2008. Sight is also kept on the repercussions of the 2014 elections when the non-participation of the major opposition on the grounds that elections held without a caretaker system, but under the auspices of the sitting government cannot be fair. The result was a constitutional crisis, unprecedented violence

and the unforeseen emergence of a virtually one-party state. As the next elections loom ahead in 2018-2019 it will be important to learn lessons from the past and return to a functioning multi-party formula that permits co-existence. Suggestions for the management of electoral violence are drawn from a comparative UNDP study of political violence in seven Asian countries, to which the author contributed. The paper concludes that the state must create an enabling environment through compromise and cooperation while rejecting a monolithic partisan approach to governance in order to restore trust, political certainty and confidence in inclusive participation. This would facilitate the protection and preservation of human rights. The enforcement of rights, however, will require respect for the rule of law, independence of the executive from the judiciary and commitment to the idea of justice and fairness for all.

2 The Idea of Justice, Political Uncertainty and the Transfer of Power

The idea of justice embedded in the unhindered exercise of our rights expressed through political participation, such as in free and fair elections, is essential for a stable and peaceful society. It accepts competing interests as legitimate, thus minimising the scope for conflict. The liberal democratic state which is inclusive in character can act as an impartial arbitrator and ensure such an outcome. This section of the paper will explore the nature of electoral conflict in Bangladesh since the restoration of democracy in 1991 in the context of these understandings.

The key political challenge for Bangladesh is how to achieve a peaceful transfer of power from one political administration to another without bloodshed, street agitation and economic destruction. The democratic process usually presented as the best method of achieving acceptable outcomes has certain built-in pitfalls: one, the process of mobilisation and the creation of loyal support bases give rise to politics of identity and exclusion; two, democratic politics can be hijacked by populist propaganda that feeds on misinformation and throws up the lowest common denominator in society, which generates hate and xenophobia; three, it is a legitimising tool for parties that come to power through due process but then subvert its institutions to stay on in power, promote partisan interests and exclusionary politics. Bangladesh has experienced all three situations to varying degrees.

Volatile politics lends Bangladesh to political uncertainty. Political uncertainty is caused among other reasons by the politics of confrontation and an unwillingness to concede any argument to the opponent. In this, the ruling party can singularly squeeze the democratic space for negotiation, which forces the opposition to retaliate on the streets, being unable to find a voice or have any impact in parliament. This presupposes an unequal relationship in terms of access to the disciplinary machinery of the state. However, excessive provocation invites retaliation on the streets and loss of trust in the incumbent to create a level playing field to deliver free and fair elections.

3 The Care Taker Government and the Military Interregnum, 2006-2008

It is in this backdrop that Bangladesh has experimented with mechanisms for the transfer of power through the institution of a caretaker government (CTG). In 1996, the opposition agitation in the form of a non-cooperation movement, successfully resulted in the constitutional provision for a CTG to arrange for the handover of power. In 2014, the same outcome was ruled out, although similar problems of trust and fears of manipulation of the state machinery and rigging of elections existed as in the past. What went wrong?

The institution of a neutral caretaker administration manned by professionals to manage the electoral process was an effective strategy for inclusive politics. However, the potential to tamper with the system was inbuilt: for example, the appointment of senior judges could be so manipulated as to ensure that the last retired chief justice who is supposed to head the CTG is loyal to a particular party.

On the 11th of January 2007, a state of emergency was declared in Bangladesh; all political activities were banned and media censorship imposed. A military backed care-taker government stepped in to steer the country out of political chaos and towards stability in order to create conditions for the restoration of the electoral process. It had wide popular support. The immediate reason was the 'battle to the death' by the two main political power blocks, the AL and BNP.[1] On 29 October, 2006, the incumbent BNP appointed the President of the country as the Chief Advisor to head the caretaker government that was to oversee the next general elections, in what was seen to be 'a civilian coup'.[2] A neutral institution was thus headed by a party man. Thus, the regularities of the previous government formation process had been disturbed and the bargaining environment altered, causing severe political uncertainty.

Additionally, in what appeared to be massive fraud, the government had produced a voter list of 93 million, instead of the 73 million registered in the previous elections. Some held that corruption had become institutionalized at all levels between 2001 and 2006, down to the rural level and including the civil bureaucracy.[3] The scene was thus set for a loss of trust in the system to offer credible elections.

A winner-take-all political system that permits winners to take a disproportionately high number of seats is exacerbated further by the practise of appropriating all channels of wealth accumulation by the victor. Barrister Kamal Hossain, who had helped draft the first Constitution of democratic Bangladesh observed that the constitution had not worked because party politics was turned into something that was not meant to be: "You do not expect that 'winner takes all' means literally all, including taking the police as your private militia, the civil service as party lackeys and using any law as pure patronage for party loyalists, with no other criterion for appointments but party loyalty. A democratic system to work requires 'a minimum political morality'. Political authority cannot be used for patronage with absolute impunity."[4]

Violent street protests resulted against the politics of exclusion; the economic blockade of Dhaka city continued throughout 2006; and the government retaliated with massive arrests of the opposition. It seemed that a one-sided election was going to be pushed through on the 22nd of January 2007 as scheduled, when the army stepped in to restore order to the total relief of the population. The army set about immediately to curb corruption to create a level playing field. It restored public spaces to their intended use, demolished illegal constructions on pavements and roadsides, cleaned up the streets of unlicensed shops and activities, raising some concerns for the welfare of the poor.

The fear that the army would find reasons to stay on in power indefinitely was not fully justified. Whether, it was for want of international backing or the fear of losing its lucrative role as peace keepers, the army delivered a technocratic CTG within two years, headed by a former World Bank official. Relatively peaceful elections were held in December 2008 with a corrected voter list and an electronic voting system.

Though, initially seen as a saviour, concerns had grown as to the real intentions of the army.[5] The arrest of the two leaders and their detention, the attempt to send them away in exile, as a way to free the country from the effect of their vitriolic politics, the experiment with the idea of floating a new political party headed by Professor Yunus, had unfortunate consequences in the long run. The CTG system was ruled unconstitutional in 2013. The party that had fought so hard for it in 1996, now used its majority in Parliament to abolish it and limit the powers of the army from political interference.

4 Political uncertainty and electoral boycott: 2014 elections

It can be argued that uncertainty was thus introduced in the political process; that a workable formula was discarded instead of being reformed through the application of checks and balances. The elections of January 5, 2014 were held amidst a boycott by the major opposition, the BNP and a very low voter turn-out. The incumbent considered it to be a good and fair election; the opposition held that democracy had been destroyed.[6] Some questioned the legitimacy of the elections, others argued that constitutionally there was no alternative. Since 1996, many continued to argue that elections under a CTG offered the opportunity to 'resolve the political problem in a constitutional way'.[7]

A mirror image of 2006 followed in 2014, but the tables were reversed. With no seat in Parliament, the BNP took to street agitation to topple the AL dominated government and pressure it to hold a new election under a revived CTG system. But that was not to be. The legacy of the incumbent BNP in 2006 had shaped the context of negotiations in 2013-14. The AL was in no mood to compromise while the BNP intensified its hostility targeting the destruction of public resources and calling for strikes.

The opposition lost sight of the concept that in a democracy, the opposition is also a part of the government and needs to exercise restraint in order retain its legitimacy. The excessive use of intimidation on the streets, arson and killing of innocent civilians on a daily basis to enforce a blockade of the capital city, Dhaka, was not popular. Most of the public including day labourers, wage earners, rickshaw pullers, and vegetable vendors, could not heed the call for indefinite strikes and *hartals* because they needed to work daily to feed their families. They were most at risk in those terrible days when more than a hundred of them were killed, many were deliberately burnt to death in busses and vehicles for daring to go about their daily business. In a cynical fashion, the state took its time to discipline the agitators through arrests; by the time it took action to quell the disturbances with the support of the Rapid Action Battalion and the full force of the law, there was little support left for *hartals*, blockades, and street agitation. Embattled over time, the opposition demands for a CTG became muted.

In 2017, as discussions had started on the mechanism for arranging the next national elections to be held in 2019, a more pliant opposition entered negotiations with the President. The major political opposition, the BNP,

had no alternative to taking a soft tone of compromise: It needs to participate in the next elections to keep its registration valid and to survive politically; it has to refrain from being provoked into street agitation to save itself from further state reprisal; and it needs to heal from within through party reform to build unity among its ranks. However, the threat of violence will remain so long as partisan governance dominates, alternate voices are stifled, dissent is restricted and the idea of the equality of political actors is not respected. An independent election commission backed by powers of enforcement along with an independent executive and an independent judiciary could provide the main pillars of the impartial arbitrator. The annulment of the Sixteenth Amendment of the Constitution makes this a more difficult proposition, as it weakens the judiciary.[8] The hurdle is essentially the lack of an independent judiciary, and an overly complacent executive.

5 Electoral Politics of Confrontation and Consensus

Electoral violence

A particular manifestation of political violence occurs in the context of elections. It can be driven by a range of factors related to real or perceived fraud, corruption, clientelism, and patronage; patriarchy; belief that politics serves only business interests; and ethnic, religious and socio-economic conflicts and grievances.[9] Scholars and analysts have agreed on the following definition of what constitutes electoral violence:

> 'Any acts or threats of coercion, intimidation, or physical harm perpetrated to affect an electoral process, or that arise in the context of electoral competition. When perpetrated to affect an electoral process, violence may be employed to influence the process of elections, – such as efforts to delay, disrupt or derail a poll, – or to influence the outcomes: the determination of winners in competitive races for political office, or securing the approval or disapproval of referendum questions'.[10]

The violence tends to take three main forms: one, acts of physical harm including assaults on candidates or communities, gender-based violence, mob violence and political assassinations, either to force out candidates from participation or to prevent the elections from occurring; two, destruction of objects, buildings, campaign materials, vehicles, offices or ballot boxes to deter the exercise of voting in a free and fair manner; three, threats of physical violence, intimidation and coercion to prevent support to specific candidates for example. Violent discourse can also polarise communities along conflict lines provoking violent outbursts.

Studies of recent election violence in seven Asian countries under the auspices of UNDP have established a clear link between election violence and perceived or alleged cheating. Often, fraud does not need to be proven, allegation and suspicion are enough to provoke violent reactions in democracies where there is little confidence in the authorities. In Thailand, allegations of unfair manipulation of the electoral process led to violent street protests in 2010. In Bangladesh, the political crisis of 2006-2007 was precipitated by high levels of violence and a lack of public confidence in the electoral system. For example, the collapse of the election process in 2007 revealed that 12 million people were on the voter register illegally.

> 'Thus, the independence of the election process and electoral administration, and how they are perceived to be designed, managed and implemented, have a strong bearing on electoral violence: those elections considered to be adequately free, fair and transparent (remembering that no elections are perfect) are less likely to experience electoral violence than those where allegations of mismanagement or deliberate cheating are prevalent'.[11]

The prospect of the 2014 elections in Bangladesh without a clear political agreement on its management provoked violent protest, street agitation, arson and murder by those who felt most likely to be cheated out of a fair share of power. Free and fair elections require government cooperation, good behaviour of political parties and a proper technical management of the elections. Electoral processes are about 'the management of social conflict through public dialogue, vigorous debate and the authoritative selection of leaders through electoral rules'. When elections are perceived to be procedurally fair, people are more willing to accept the results and grant legitimacy to the newly formed government to implement their policies.[12]

Violence can occur before, during and after elections for various reasons: for example, to prevent voter registration through intimidation to foil an election; prevent voters from casting their ballots; to protest against unwelcome outcomes, fraud or to teach non-supporters a lesson. The 2010 UN special rapporteur on election violence found that only 10% fatalities occurred on election day, 46% occurred before and 43% after the elections.[13] Thus vigilance is required in all phases of the electoral cycle.

The next section has attempted to work out at which point of the election cycle Bangladesh is most prone to experience violence and what forms these take, in order to ascertain the best strategies to be adopted to contain these.

6 Electoral Violence: Bangladesh Elections of 1991, 1996 and 2001

This section of the paper examines the nature of electoral violence in Bangladesh over three election cycles pertaining to the elections held in February 1991, June 1996 and 2001. Six newspapers were selected, which reflect a broad range of political and ideological opinion; these cover a period of three months before and three months after the election date and were subjected to content and discourse analysis. The newspapers are: *Daily Ittefaq, Janakantha, Prothom Alo, Sangbad, Inquilab* and the *Daily Star*. While compiling the news, particular attention was paid to avoid any sort of overlapping that might cause double counting of any incidents. Also, in considering the figure of casualties, the minimum number mentioned in a newspaper was taken. Therefore, the figures presented may be an underestimation of the actual casualties rather than an overestimation of the figures.

An attempt is made here to bring together an analysis of the incidences of violence published in the selected newspapers. The objective is to illustrate the nature and extent of election related violence and their consequences. Table 1 below shows a breakdown of the types of offences committed during the election cycle around the February 1991 elections:

There were 162 cases of violent incidents reported in the newspapers published between November and April 1991. The election month of February was the most violent period with 57 incidents including 8 cases of murder and 33 incidents of physical injury. Besides, there were other forms of political violence, such as attacks on the rival political party leaders, workers and supporters, setting fire to the offices and residences of rival political party leaders and supporters and incidences of clashes between rival political party supporters and workers. The run up to the elections in the month of January was also very volatile with considerable injury, but fewer murders and clashes.

Elections were held twice in 1996, once in February and next in June. The outcome of the February 1996 elections was rejected by the main opposition political party on the grounds of large scale rigging and low voter turn-out. The escalation of political violence is captured in our records for the month of March: a total of 35 incidents of murder and 38 incidents of injury occurred this month alone (See Table 2). The election month of June also witnessed numerous incidents of various forms of violence, including 24 murders; but the overall situation was considerably calmer than in March. It is interesting to note that after the political changeover, the student front of the victorious party captured the control of student halls of residence at the University of Dhaka, a pattern that repeats itself again and again during subsequent election cycles. This is because control of student politics is believed to ensure control over national politics.[14]

Table 1: 1991 Elections: No of Incidents and Forms of Political Violence

Month	Number							
	Murder	Injury	Attack	Clash	Rape	Setting Fire	Threat	Total
November	1	7	4	2	0	2	0	16
December	4	11	2	0	0	1	0	18
January	4	29	5	0	0	1	2	41
February	8	33	11	2	0	3	0	57
March	3	3	1	6	0	0	0	13
April	3	10	1	1	0	1	1	17
Total	23	93	24	11	0	8	3	162

Table 2: 1996 Elections: No of Incidents and Forms of Political Violence

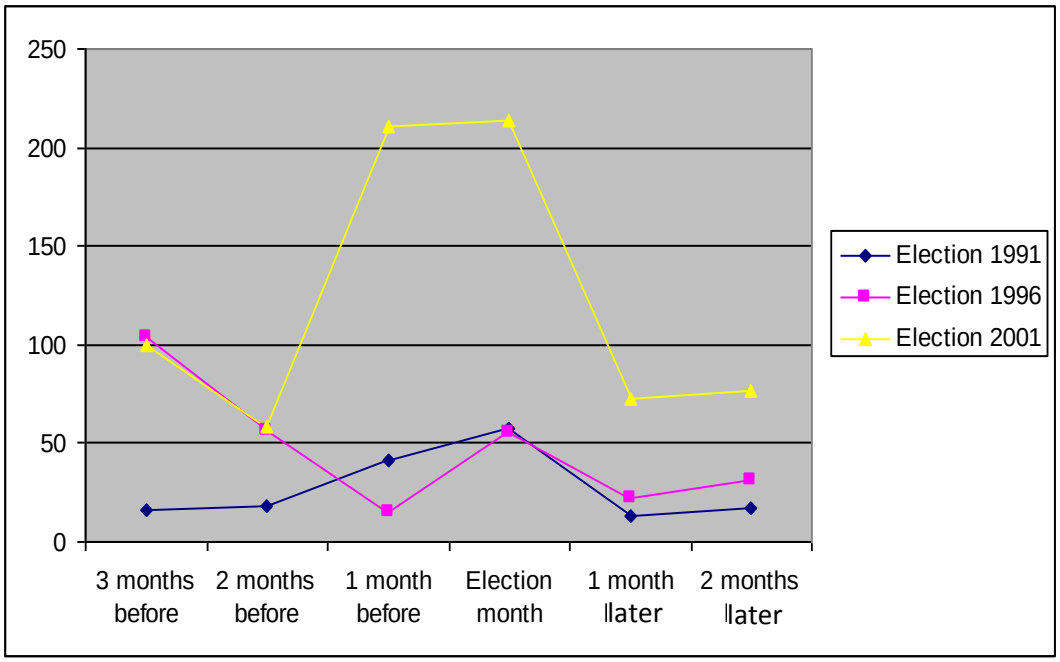
Month	Total Number of Incidents							
	Murder	Injury	Attack	Clash	Set Fire	Threat	Hall Capturing	Total
March	35	38	17	12	1	1	0	104
April	9	27	11	9	0	0	0	56
May	5	8	0	2	0	0	0	15
June	24	27	4	0	0	0	0	55
July	6	12	2	1	0	0	1	22
August	2	24	2	0	0	0	3	31

Table 3: Pre- and Post-election Violence in Bangladesh (No): 1991-2001

	Election 1991	Election 1996	Election 2001
3 months before	16	104	100
2 months before	18	56	58
1 month before	41	15	211
Election month	57	55	214
1 month later	13	22	73
2 months later	17	31	77
Total	162	283	743

Table 3 presents a comparative picture of incidences of political violence over the three election cycles. The most important finding is that there was an escalation of violence in the election month in all three elections under review. It appears from the table that 2001 was the most violent year: both the month before and the month of elections were equally bad. The number of incidents of political violence had been on the rise since 1991.

On the whole, violence was less pronounced in 1991 compared to 1996 and 2001. See the Graph below, which shows that violence begins to increase in the month before elections and tapers off after the elections. In 1996, the pattern is skewed because of two elections. Nevertheless, the levels of violence decrease after the elections. In 2001, the volatility lasts longer and at a higher level. Thus, even when it drops, the violence level is more intense than in the election months of previous election cycles. Widespread reports of attacks on minorities in post-election violence not detected by election observers came to be reported by national observers.[15]



Graph: Trends in Political Violence in the Different Elections

Table 4: Forms of Violence: Parliamentary Elections of 2001

Month	Forms of Violence								
	Murder (In No.)	Injury (In No.)	Attack (In No.)	Clash (In No.)	Rape (In No.)	Set ting Fire (In No.)	Threat (In No.)	Acid Throwing (In No.)	Kidnapping (In No)
July	17	56	16	11	0	0	0	0	0
August	20	31	4	3	0	0	0	0	0
September	55	132	19	2	0	1	1	1	0
October	55	81	44	2	17	4	7	0	4
November	20	33	14	2	1	0	2	0	1
December	20	27	21	5	0	1	3	0	0
Total	187	360	118	25	18	6	13	1	5

Table 4 provides a breakdown of the types of violence before and after the 2001 elections. The data is collected from the news and reports published in four Dhaka dailies, namely, *Janakantha, Bangladesh Observer, Inquilab and Ittefaq*. The largest victims of violent attacks by the ruling party *mastaans* were the political minorities, i.e., those who were defeated in the elections (the Awami League, AL). Of the total number of published reports, more than 55% were about attacks on AL activists and supporters. These were of a purely political nature. Attacks on the political opposition also included religious minorities. Such reports counted for 30% of the total. About 40% of the total news reports were on attacks directed simultaneously against political, religious and ethnic minorities.

A significant 20% of the reports were about various types of illegal activities. These include illegal toll collection, forceful occupation of private or public property, and attacks on ordinary people.

Data was specially collected on violent acts perpetrated by ruling party activists on the losers in 2001. This was to see the impact of the election results on the losers and minorities. These acts of violence imply huge losses in terms of damage to life and property: and include deaths, injuries, rapes, economic loss, and so on. A total of 95 incidents of murder and 121 incidents of injury occurred in post-election violence in 2001. Notably, for the first time in the electoral history of Bangladesh, rape was used as a political weapon against adversaries.

7 Brief account of a Case Study of Lalbagh Constituency in Dhaka city

This section provides a brief account of findings from a case study of Lalbagh thana in Dhaka district. Being one of the most crime ridden electoral constituencies in Dhaka district, it is not typical for the country, rather it does portray the worst-case scenario. The area became commercial since independence, with the rise in small businesses and setting up of small shops. Of note is the growth in industry, particularly, leather, garments, polythene products and packaging. About 30 % of the population have been settled here for over a hundred years, and 70 % have moved in from surrounding regions such as Chowkbazaar and Savar since the nineteen seventies. This has changed the social fabric of the area. The impact on social relations has been to create a gap between the settled inhabitants and the newcomers. The older group is active in politics, the latter are small shopkeepers, who are called upon frequently to supply men to attend political rallies.[16]

The Lalbagh constituency was reconstituted in 2004 to include Lalbagh, Hazaribagh and Kamrangir Char thanas. The reasons were administrative, political, and mark the rising importance of the area.[17] However, growth, development and urbanisation have also led to the growth of more slums in the area. There has consequently been a concomitant rise in crime as well.

Table 5 below shows a gradual increase in the number of violent incidents in the years 1991 to 2001. It should be noted that the data here refer to periods of two months before and two months after the elections.

The violence occurred for two main reasons: one, due to inter-party rivalry, and two, those that resulted from attempts by the caretaker administration to disarm and neutralise possible troublemakers. There was violence both before and after elections. The party in power, which had the instruments of state coercion within its reach, was most able to use these against its adversaries. The growing culture of impunity implies that the strong considered themselves safe from possible reprisal or accountability.

Table 5: Lalbagh Constituency: Nature and Extent of Pre and Post-Election Violence as Reported in the Press, 1991-2001

Nature of Violence	1991	1996	2001	Total
Political violence	9	11	14	34
Attack on religious minorities	2	3	4	9
Attack on both political and religious minorities	3	1	2	6
Other types of violence by (former) ruling party cadres	6	9	11	26
Total	20	24	31	75

Source: Calculated by the Study Team from newspaper clippings (*Prothom Alo, The Bangladesh Observer, The Daily Sangbad, The Daily Ittefaq, The Daily Janakantha, The Daily Sangram, The Daily Inquilab*)

Focus group discussions (FGDs) were carried out with people from Lalbagh, Kamrangir Char, Hajaribag, Azimpur and Chawk Bazar areas, to gather deeper information on their experience of electoral politics. The 64 participants interviewed were largely from middle and lower income categories: small shop keepers, school teachers, engineers, doctors, NGO staff, garment owners and workers, day labourers, factory workers, unemployed and house-wives (See Profile of FGD respondents below).

Profile of the FGD Respondents

Location	Occupation	No of Participants
Lalbagh Fort area	Small Shop Owner, Day labourers, school teachers, factory workers, house wife, unemployed	12
Kamrangirchar area	Small Shop Owner, Day labourers, school teachers, house wife, unemployed, garment workers, Govt. officials, NGO staff, doctor, Engineers	10
Hajaribag	Garments owners and workers, leather industry owners and workers, artisan, slum-dwellers	12
Azimpur	Govt. officials, doctor, Engineers, teachers, architects, house-wife, unemployed youth	10
Chawk bazar	Wholesale shop owners, small Shop Owners	10
Total	Respondents	54

Most of the respondents agreed that electoral violence had been a dominant feature of politics in the constituency and that it had been on the rise over the years, as is demonstrated in Table 5 above.

Incidence of Electoral Violence in Lalbagh Constituency: Electoral violence in 1991 was less significant than in 1996 and 2001. It reached its peak in 2001. In total 13 people were killed in election related violence in the constituency (before and after election) between 1991 and 2005. At least, 75 people were injured, some of them seriously, owing to the clashes between rival political parties during elections.

The forms of violence in the constituency varied including shoot-outs, show of fire arms, use of *lathi*, hockey sticks and iron rods to hit or terrorise the supporters of rival political parties. During the 2001 election campaigns the use of *chapati* (special knives) was quite common in some areas. A total of 11 supporters of different political parties had been stabbed brutally in 2001 alone. Talking about the 2001 elections, the FGD participants mentioned that the candidates of the two major political parties terrorised the supporters of the rival political party. The candidates had their own pet groups of musclemen or *maastans*. Some of them were their permanent associates and some were recruited temporarily from outside to help campaign for them. Most of the outsiders possessed guns; this was an open secret.

The embattled opposition: Some of the FGD participants were fearful to provide information. It was hard to find supporters of the opposition political party, the AL, even in areas known to be dominated by them; for example, in the centres where they won during the last two elections (1996, 2001). The opposition political party supporters and activists were regularly harassed by police at the will of the MP representing the ruling BNP. These were deliberate acts to deplete the local support base of the AL. No doubt, such similar tactics define the relations between the ruling party and the opposition irrespective of the particular party in power. Thus, the opposition is constantly at the receiving end of oppressive measures.

Political tactics adopted to deplete the opposition's support base*:* Numerous opposition political party supporters and activists were arrested and convicted on false charges and put in jail. This was a common practice that has occurred during/after all the elections since 1991, but its intensity rose dramatically in 2001 and continues to this day. Incidents of harassment and arrest of political opponents increase particularly when government authority is challenged. Most FGD participants stated that acts of repression on the opposition increased significantly after the 2001 elections. There were violent attacks on their processions and political rallies. Sometimes their routes were blocked or barricaded so that they could not take the procession from the local area to the city centre where the rally was supposed to be held. FGD participants in Kamrangirchar explained that the ruling party *maastans*, with the support of the local police, stopped the procession at the bridge connecting the Kamrangirchar area to the city. Similar complaints are voiced by the opposition about its treatment in the 2017s and 2018s: i.e., they are denied the right to assemble, march and protest.

Other findings relate to the use of money in the financing of elections that include buying votes, bribing officials and raising money to meet the excessive demands for campaign finance, which is way beyond officially prescribed limits. This is achieved by clandestine toll collection from the homes of petty shop keepers and businesses, through the use of a network of patrons and clients that link mastaans to politicians, policemen and election booth officials.

To sum up: The FGDs and interviews provide intricate details about how the dynamics of local politics in which the ruling party dominates the administration, the police and the finances, which in turn allows it unlimited access to power and resources. Some details of such power and its misuse came to light. The Lalbagh MP, Pintu was arrested in February 2007 on charges of attempted murder and assault in intra-party feud. Haji Monir, General Secretary of Kamrangir Char Thana BNP forced AL leaders to leave the area and even raped the daughter of an opponent. He is accused of land grabbing and murder. They both built up huge armed *mastaan* forces and used them in administrative functions.[18] It is not known whether this person was ever tried or sentenced for his excesses.

The party out of power has less influence, money and clout: thus, it is subject to greater violence and intimidation. The party support base is nevertheless loyal, in that supporters do not cross over easily to the other side. However, the weak opposition is silenced into submission, so much so that it is unable or unwilling to disclose its political loyalties in public, for fear of reprisals.

The financing of elections is an expensive business and is a major cause of malpractice, corruption, and crime. This is exacerbated by the lack of service mentality in the law enforcement agencies, which can also be bought and sold for paltry sums of money. Poor working conditions and pay account only in part for this phenomenon. Fear and intimidation, along with a desire to be with the winning side also offers some explanation, while politicisation of the administration accounts for the rest.

8 The Actors Who Can Influence Electoral Outcomes

A number of *bodies can influence the outcome of elections* and the democratic process, for good or evil: they include political actors, management bodies, government organisations, security agencies, civic and media groups, religious groups and student activists. For example, a politicised media may exacerbate tensions and polarise society. The electoral administration needs to be above suspicion and mistrust, operate within a legal framework, and be impartial, independent, professional and transparent. It must have capacity, authority and integrity. Lack of confidence in any of these aspects could provoke violence. The Election Commission in Pakistan has little public trust on account of its lack of impartiality as it is faced with tremendous executive manipulation. It thus presides over a low voter turn-out and fails to protect the right of women to vote in NWFP.[19]

Political parties are expected to channel, aggregate and express political demands. Their role is particularly significant in managing conflict, in divided societies along lines of culture, language, religion, region etc. If they are not mature or committed to democratic ideals, if their behaviour is not properly regulated by electoral laws and systems, they may act to serve the narrow interests of 'competing elite groups, enforce social cleavage, side line women and pursue a divisive agenda'

to gain power. Following the civil war in Nepal in 2006, all parties engaged in violence to influence election outcomes in 2008. The result was to limit the participation of female candidates.

A party system to be effective requires four conditions: regular party competition, the rootedness of political parties in society, their popular acceptability to govern, and the strength of party organisation. If the party system is weak, elections are volatile, parties have weak roots in society, campaigns are dominated by individual personalities or dynasties, and party organisation is weak, as is the case of the Philippines.

Party supporters are often mainly responsible for aggression and physical violence. Although the 2008 elections in Bangladesh was heavily monitored to prevent violence, it did occur. In these instances, the perpetrators were, overwhelmingly, the supporters of the major political parties. In fact, they were responsible for 90 % of the offences recorded, with 77 % involving physical harm and the destruction of property.[20]

The state and its security apparatus are responsible to maintain safety and security of voters, candidates, polling booths, vote results, campaigning materials, electoral facilities, observers and the media, as well as electoral cycle events such as political rallies. However, there are instances when the security forces are seen to be partisan or corrupt: then there is a strong possibility that they will themselves perpetrate violence. Thus 75 people were killed by state security forces in 2010. In the Philippines on the other hand, the police functions under the direct control of the Election Commission to help oversee a peaceful election.[21]

Outside the state security machinery there are illicit armed groups which pose serious threats to peaceful elections. They include militant organisations which exploit election campaigns to pursue their own agenda; former military or police personnel involved in crime syndicates, or who are clients of politically influential persons as security guards or private militia. Such militia may also include criminal gangs and leaders who terrorise local communities to secure a political base for their patrons and are rewarded for their pains. Thus, for example, the Tamil Tigers of Eelam enforced an election boycott in 2005 in Sri Lanka. In the Philippines, some 100 private armies were responsible for 80 % of election related violence including abduction, murder and damage to property.[22]

Religious extremism poses a major threat of violence, and not just electoral violence. In the NWFP of Pakistan women are forcibly prevented from voting and contesting in elections on the grounds that religious edicts claim it to be un-Islamic, whereas historically, Muslim women have headed businesses, led battles and held high offices of state. Traditional local practices of keeping women at home and out of public view are mistakenly claimed to be religious duties. In Bangladesh, extremist groups use the rhetoric of Islam in danger to promote their own political agenda. The JMB or Jama'at-ul Mujahideen Bangladesh detonated 500 bombs simultaneously in August 2005, targeting the judiciary and civil administration in 63 districts[23]: their aim was to destroy the symbols of democracy and establish their own version of God's law. More recently, in 2016, affluent youths recruited into extremist ideology, carried out a mindless massacre largely of foreigners in an upscale neighbourhood in Dhaka,[24] raising serious questions about inroads of transnational jihad of the Islamic State variety, that seeks to change the democratic social order.

Youth and student movements both reflect and have the ability to shape 'larger struggles for social and political change'. According to UNESCAP, approximately, two-thirds of the world's youths of the 15-25 age group live in Asia. Their exclusion from the benefits of social and political development, or experience of corruption and violence in society may turn them into violent persons in future. Student movements ignited public dissatisfaction with Indonesia's management of the 1997 Asian financial crisis and led to the end of Soeharto's rule. The youth fronts affiliated with political parties in Bangladesh are supported by thugs and *mastaans* or strongmen, who receive political patronage to ensure the electoral victory of their patrons. They try to retain political authority in their constituencies through fear and intimidation in a climate of impunity guaranteed by their patrons.[25]

9 Preventing Electoral Violence

The prevention of election violence requires a strategy that takes account of election cycles, focusses on institutional design, political system and election laws. It is essential for political parties to participate in and accept the results of elections. This requires not only a perceived independent, transparent and effective electoral administration, but also a political culture that respects democratic principles.

The design of the electoral system can influence the role played by groups, interests and ideologies in democracies. Some systems permit the rise of divisive interests that allow for a winner take all approach. Other systems require wider policy and ideological appeals that are inclusive provide incentives to competing groups to pursue common goals. Electoral systems designed to bring together diverse political groups 'to negotiate positions that move beyond their narrower interests' have a better chance to resolve conflict.[26] Thailand had 18 constitutions since 1932, which has

proved to be destabilising: these are seen as instruments by which the government controls of the people, rather the opposite.

Electoral laws with a code of conduct and enforceable sanctions are necessary to limit the resort to violence. Election management bodies need to be empowered through legislation so that they may act with authority and scrutinise the credibility of candidates to stand for elections and weed out criminal elements. Hate speech may be disallowed. An objective and impartial dispute resolution mechanism is required to build public confidence and legitimacy in the electoral process. The enlistment of observation and monitoring missions provide transparency and a way to keep a record of proceedings; it may thus deter against vote rigging and manipulation of the electoral process. International observers are generally considered to be impartial, whereas national teams have greater local knowledge to detect the state of play.

Other strategies to mitigate electoral violence would be to build a strong democratic culture. This can be through school curricula and educational programmes; a balanced media that does not reflect narrow partisan interests or air inflammatory material; and an engaged civil society that promotes civic and voter education, election monitoring and provides a forum for conflict mediation.

However, the fundamental principle that must underlie all action is a belief in justice and fairness for all, an intrinsic belief in liberty and equality, and in the inherent right to co-exist and share in the national resources and opportunities.[27]

Endnotes

1. Comment by Hossain Zillur Rahman Chief Executive of the Power Participation Research Centre, quoted in Kirsty Hughes, 'Bangladesh: Moving Toward or Away from Democracy?, *EPW*, April 14, 2007, p. 1329
2. Ibid., Kirsty Hughes, *EPW*.
3. Comment of Syed Badrul Ahsan, current affairs editor, *The Daily Star*, Dhaka, ibid.
4. Comment of the former Foreign Minister, Dr Kamal Hossain, quoted by Kirsty Hughes, op. cit.
5. Davin T. Hagerty, Bangladesh: Democracy Interrupted, Political and Environmental Challenges Ahead,' *Asian Survey*, 48 (1) 2008:177-79
6. Statement by Finance Minister Muhith at the Policy Research Institute on 19 January 2017 observed that it was the best election ever held. On the third anniversary of this election, the BNP attempt to hold a rally to mourn the death of democracy was not permitted by the government. See the *Daily Star* and Prothom Alo of January 5 and 6, 2017
7. Statement by the sixty-seven members of the intelligentsia from various walks of life. See *The Daily Star*, Dhaka, 26 February 1996
8. The scrapping of the 16th Amendment of the Constitution in August 2017 permits the Parliament to remove Supreme Court judges. Previously a Supreme Judicial Council, which included the chief justice, would oversee the impeachment process. Now, the Parliament alone can do so, which essentially means the ruling party can do so as parliamentarians are bound to follow the dictates of the party. See *Dhaka Tribune*, 13 August, 2017
9. UNDP, *Understanding Electoral Violence*, 2011, p. 5
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15. See Brotee, *National Elections 2001 Observation Report*, Dhaka, 2001; also see Brotee, *People's Observation of the Electoral Process: 2001 Election Report*, Dhaka 2001
16. FGD at K.M.Bashir Government Primary School, 27 Gour Sunder Rai Lane, Lalbagh, Dhaka, 13 September 2006.
17. In a similar way, Dhanmondi was divide into two thanas. Source: Ibid.
18. *Sangbad*, ibid., *Prothom Alo*, 13 February 2007
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20. Odhikar & International Foundation for Electoral Systems (IFES), 'Final Report on Election Violence in Bangladesh', *Election Violence, Education and Resolution*, Dhaka, 2009
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25. See Tazeen M. Murshid, 1997, op. cit.
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27. J. Rawls, *The Idea of Justice*, Harvard University Press, 1971, 1999