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Anatomy of a rigged election in a hybrid regime: the lessons from Bangladesh

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ABSTRACT

With the global proliferation of hybrid regimes, manipulated elections are on the rise as the rulers of hybrid regimes organize elections to maintain the veneer of democracy. Yet available studies on hybrid regimes have not explored the detail mechanisms of election manipulation and the role of various institutions in the process. This article intends to address this gap through the case study of 2018 Bangladeshi election. This article examines the parliamentary election held on 30 December which has delivered an unprecedented victory to the incumbent Bangladeshi Awami League (BAL). The article demonstrates how the ruling party adopted various methods to rig the election. These include creating a climate of fear, neutering opposition candidates through imprisonment and confinement, disqualifying opposition candidates, limiting the effective oversight of the electoral process through denying international observers, and establishing control over media before the election day and ballot stuffing. It also discusses the roles of the electoral commission, civilian administration, law enforcing agencies and the courts.

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Introduction

Political scientists have a predilection for studying competitive elections and avoiding those election results for which there are foregone conclusions. Hermet and his colleagues,¹ in an edited volume in 1978 titled *Elections without Choice*, not only pointed to this bias but argued that political scientists' tendency to dismiss non-competitive elections are mistaken. Despite the warning, the tendency to focus on competitive elections didn't lessen in the subsequent decades; it actually became more pronounced as elections became critical elements in characterizing regimes and understanding the scope of democratization. In his oft-quoted study *The Third Wave: Democratization in the Late Twentieth Century*, Huntington made elections a central element of democratization and democratic consolidation when he offered the "two turnover test"² – that is two alterations in power after the initial democratization election – as the marker of the consolidation of democracy.

The use of election as the key indicator of democracy and the assumption that elections are a sufficient measure of democracy prevalent in studying democracy in the 1980s gave rise to the concept of “fallacy of electoralism”.³ But notably, these authors were not interested in the elections in authoritarian systems – civilian and military authoritarianisms and by one-party systems, alike. Hermet called them “state-controlled elections”.⁴ By the early 2000s, there were tacit recognitions that not all elections are alike and that even non-competitive elections have significance. Considering election as a defining characteristic of a regime gradually became ubiquitous. In the view of Larry Diamond:

Closed Authoritarian regimes do not hold multiparty elections; Hegemonic Electoral Authoritarian regimes hold uncompetitive multiparty elections that are not free or fair; Competitive Authoritarian Regimes hold competitive, albeit unfair or un-free multiparty elections; Electoral Democracy holds free and fair multiparty elections although civil liberties are not fully protected and enforced; Liberal Democracies hold free and fair multiparty elections and broadly protect civil liberties.⁵

This shift, to consider non-competitive elections, arose in the context of the rise of regimes which have both democratic and authoritarian traits. Described as hybrid regimes, political scientists have identified these regimes as a distinct category of systems of governance *contra* a subtype of diminished authoritarianism or democracy.⁶ Although there is no agreement on a precise definition of an archetype hybrid regime, political scientists concur that these regimes are characterized by a mixture of institutional features of democracy, such as an election with institutions of an autocracy and high degree of repression. Ottaway described the hybrid regimes as, “ambiguous systems that combine rhetorical acceptance of liberal democracy, the existence of some formal democratic institutions and respect for a limited sphere of civil and political liberties with essentially illiberal or even authoritarian traits”.⁷ For this study, hybrid regimes are seen to include both competitive and hegemonic electoral authoritarian regimes.

Economist Intelligence Unit’s definition of hybrid regime highlighted the nature of elections. It noted that “Elections have substantial irregularities that often prevent them from being both free and fair. Government pressure on opposition parties and candidates may be common”.⁸ With electoral competition becoming an important element in understanding the hybrid regimes, political scientists began to pay more attention to them.⁹

But how are these manipulations conducted? Schedler focused on methods of election manipulation by authoritarian governments which had adopted liberal-democratic institutions, including elections.¹⁰ Works of Pippa Norris and her colleagues at the Electoral Integrity Project (EIP) have paved the way to examine elections all around the world and their inadequacies and challenges.¹¹ Nic Cheeseman and Brian Klaas’ book titled *How to Rig an Election* is a pathbreaking work in this regard, especially for its focus on what they described as “counterfeit democracies”.¹²

However, available studies on hybrid regimes have not explored the detailed mechanisms of elections, and the role of various institutions. This article addresses this gap through the case study of a Bangladeshi election. This article explores the 2018 Bangladeshi parliamentary election held on 30 December. The election delivered an unprecedented victory to the incumbent Bangladeshi Awami League (BAL) and its allies who secured 96% of votes and 288 of 300 constituencies.¹³ The election has been described

by the *New York Times* Editorial Board as “farcical”,¹⁴ *The Economist* called it “transparently fraudulent”.¹⁵ A host of authors have concurred.¹⁶

In this article we analyse the mechanism of manipulation employing the framework offered by Cheeseman and Klass,¹⁷ contextualize the election within the democratic backsliding in Bangladesh¹⁸, and present a description as to how the election was rigged and the election result was manipulated by the ruling party activists in connivance of members of the civil administration and law enforcement agencies. A detailed case study, gathered through interviews, and participatory research methods, such as informal conversations and visiting polling centres, of a parliamentary constituency will be presented.

Conceptual framework: the strategies of rigging an election

The importance of election in the emergence and survival of hybrid regime has been extensively discussed in available literature, and elections in hybrid regimes are usually rigged through various means. However, the modus operandi of the manipulation has largely remained an underexplored area. Norris, Frank and Coma have noted that the integrity of elections is compromised in two ways: the absence of “procedural fairness and equality of opportunity”.¹⁹ These two aspects include a host of measures. They write:

in far too many contests today, electoral laws, procedures, and district boundaries are skewed; voter and party registration procedures are made restrictive, inaccurate and flawed; campaign communications and financial resources are imbalanced; voting process and ballot counting lack transparency or honesty; announcements of results are unduly delayed; and electoral officials fail to prove impartial, effective, or independent Governing parties now face increased competition at the ballot box, but flawed contests lack a “level playing field”.²⁰

These factors are important in understanding the quality of an election and serves as the premise of examining a rigged election process, but they do not inform us of the modalities of the manipulation process. Calingaert listed some of the measures adopted by electoral authoritarian regimes to subvert the integrity and tip the results in their favour; he writes, “they are aimed at every step of the electoral process, ranging from altered voter-registration lists, to disrupted campaigns, to rigged vote tabulations. Some are brazen, while others are subtle”.²¹ In a similar vein, Schedler noted seven tactics used by electoral authoritarianism regimes “to crave the democratic heart out of electoral process”.²² These include reserving high positions beyond electoral competition; exclusion of competitors through legal and extra-legal measures, preventing opposition from disseminating their campaign message, disenfranchising voters of a particular category, intimidating voters through violence or clientelist control; adopting fraudulent practices such as forging voter ID; and nullifying election results.²³

These measures have been further explicated by Cheeseman and Klass.²⁴ They have identified five ways hybrid regimes manipulate the elections; they are – gerrymandering, vote buying, repression, election hacking, and ballot-box stuffing. They also noted that “to get away with [these] tactics, they [autocrats] may also need to play the international community”, that is fooling the international community. Gerrymandering means distorting the district boundaries so that the candidate from the incumbent party can have an advantage. Vote buying, often practiced in poorer nations, is

meant to offer direct cash handouts to the voters. For example, in the 2019 Indian elections, election authorities had cancelled voting in a southern region of the country after seizing more than about \$1.5 million which they believed was meant to influence the outcome.²⁵ However, Cheesman and Klass have also included excessive campaign spending and pay hikes for civil servants within the broad concept of vote buying. Repression includes preventing other candidates from campaigning, denying them access to the media, and intimidating rival supporters to stop them from going to the polls. Election hacking not only involves digitally hacking the election results but shaping the debates even before the elections through fake news and other measures. Such efforts are not limited to the emergent hybrid regimes but have also become a feature in elections in consolidated democracies. Studies have shown that the 2016 US Presidential election was significantly influenced by fake news in social media.²⁶ Ballot box stuffing, described as “one of the most effective” and “one of the most risky” strategy,²⁷ is also the oldest method of stealing the election. This is often done by ruling party activists while election authorities turn a blind eye. The final strategy is beyond the manipulating election result, to ensure that these flagrant violations are ignored by international community and that no punitive actions are taken.

Drawing on these literature on modalities of election manipulation, we argue that the incumbent in Bangladesh adopted six measures to sway the 2018 parliamentary election in its favour; they were: creating a culture of fear ahead of the election; establishing control over media content; repression of opposition candidates through imprisonment and confinement, exclusion of opponents through disqualifying opposition candidates, limiting the effective oversight of the electoral process through denying international observers, and ballot stuffing.

The case of Bangladesh provides evidences for strategies such as exclusion through legal and extra-legal measures, preventing opposition from disseminating their campaign message, intimidating voters through violence discussed by Schedler, repression and ballot-box stuffing discussed by Cheesman and Klass. However, some of the strategies discussed by these authors were not relevant for our case, for example, reserving high positions beyond electoral competition and gerrymandering. As such our discussion provides evidence to the election rigging mechanism in hybrid regime mentioned by these authors, while it adds a few new strategies, for example manipulation of media and limiting effective oversight to electoral process, to the literature on elections in hybrid regimes.

While the scope of some of these measures were national, for example, controlling media, most others were effective at the grassroots level, that is at every constituency. Discussions of these factors will help situate our case study of one constituency where the incumbent used a number of these strategies to secure victory.

Background: Bangladesh’s journey from electoral democracy to hegemonic authoritarianism

Bangladesh, since its independence in 1971, experienced one-party civilian rule and military dictatorship until 1990 when a popular uprising deposed then military ruler H M Ershad. The political parties of all persuasions agreed to hold the fifth parliamentary election under a non-partisan caretaker government (CTG). The CTG members were drawn from the civil society. Although there is a plethora of political parties,

the 1991 election ushered in a *de facto* two-party system: the Bangladesh Nationalist Party (BNP) and the Bangladesh Awami League (BAL) emerged as the major parties. The newly elected government led by Khaleda Zia of the BNP re-introduced the parliamentary system in 1991.

The system of governance emerged in 1991 had all the hallmarks of electoral democracy, that is – competitive multi-party system, contested election, absence of voter fraud, and relatively free media which offers access to political parties.²⁸ The promise of an independent judiciary and stripping off unrestrained power of the President indicated the possibility of transitioning to substantive democracy.

From electoral democracy to competitive authoritarianism

During the electoral democracy phase, the sixth parliamentary election was held in February 1996 under the incumbent political party, the BNP. However, it was neither free nor fair.²⁹ The parliament was dissolved March and power was handed over to a CTG to conduct another election, which was held in July 1996.

Two elections – the 7th parliamentary election in 1996 and the 8th parliamentary election in 2001 – were held under the CTG system. These resulted in alterations of power between these two political parties; BAL and BNP. But increasingly the formal democratic institutions began to lose their importance as both parties were less interested in consolidating democracy, building democratic institutions, creating ways for vertical and horizontal accountability, and ensuring space for dissent. Incumbents institutionalized an individualized system of governance where leaders accrued power and wealth through dynastic connections.³⁰ Elections remained the only effective democratic institution.³¹

Due to the competitive nature of the Bangladeshi polity, that is the presence of almost equally strong political parties, the system of governance began to slide into a competitive authoritarian regime. Democratic institutions were left behind while election became the only means of legitimation of power. Consequently, both political parties were inclined to create a favourable administration during the election to ensure its victory; a “zero-sum” mindset propelled the nation to violence in 2006 ahead of the scheduled national election. The BNP’s attempt to manipulate the composition of the CTG and the President’s action on behest of the BNP, while street agitations led by the BAL engulfed the country, show that both were trying to win elections by any means. Against this background, a military-backed technocratic government assumed power and ruled the country until the beginning of 2009. The 10th parliamentary election, held on 5 January 2009 under the military-backed caretaker government delivered a sweeping victory to the BAL.

The BAL, armed with a two-thirds majority in the parliament, removed the CTG provision in 2011 through the 15th amendment of the constitution passed on 30 June. The ruling party cited a Supreme Court verdict, the short version of which was delivered in May 2011, which declared the CTG system inconsistent with the democratic spirit of the system. However, the ruling party conveniently disregarded the observation of the Supreme Court included in the same verdict that the next two elections can be held under the CTG system. The removal of the CTG system is the watershed moment for the democracy in the country as this ensured the incumbent complete control over the electoral system. The new provision was designed as such that the election will be overseen by the election commission appointed by the

incumbent and a highly politicized administration will be in charge of providing the logistics of the election. This, by all standards, removed the possibility of a “level playing field” because the history of elections held between 1973 and 2018 show that elections held under a political government has never been free and fair (Table 1).

The complete control of electoral process by BAL was matched with a heightened scale of persecution to all dissenting voices. Leading to the election of 2014, the ruling party increasingly became reliant on the coercive apparatuses of the state. The number of extrajudicial killings became a common feature. For example, according to the human rights group Odhikar, 70 people in 2012 and 329 people in 2013 became victims of extrajudicial killings.³² Enforced disappearance also increased: 26 in 2012, 54 in 2013 and 39 in 2014.³³

When the BNP and other opposition parties made good on their promise to boycott the election held in 2014, the victory of the BAL and its allies was a foregone conclusion. More than half of the parliament members, 153 of 300, were elected unopposed. The 10th Parliament became a one-party chamber as a coalition member, the Jatiya Party (JP) headed by the former dictator H M Ershad, was designated as the opposition.³⁴ With a one-party parliament, the country entered into the process of transforming in a hegemonic authoritarian regime.

From a competitive authoritarian to a hegemonic authoritarian regime

While transformation of a competitive authoritarian regime into a hegemonic authoritarian regime is usually a long-term process and takes over decades, in Bangladesh, the process started to develop quickly between the 2014 and the 2018 elections. The process continued to employ subtle and blatant tactics with a goal to institutionalize the hegemonic authoritarianism via an election.

Legal and extra-legal measures to restrict civil society organizations and media intensified. Two laws exemplify these restrictions. They are the Foreign Donations (Voluntary Activities) Regulation Bill 2016 (FDRB), which imposed various restrictions on the non-government organizations, including those working on human rights; and the Digital Security Act (DSA) 2018 to silence critics. The later replaced the Information and Communication Technology (ICT) Act, which was used extensively against journalists and citizens for criticizing the government. The media was either co-opted or muzzled, forcing the journalists to adopt self-censorship.³⁵ Besides, the opposition activists have been arrested on frivolous charges, particularly

Table 1. National elections and election results in Bangladesh.

Election year	Incumbent	Result
1973	Bangladesh Awami League (BAL)	BAL
1979	Bangladesh Nationalist Party (BNP)	BNP
1986	Jatiya Party (JP)	JP
1988	JP	JP
1991	Caretaker Government	BNP
1996 February	BNP	BNP
1996 July	Caretaker Government	BAL
2001	Caretaker Government	BNP
2008	Caretaker Government	BAL
2014	BAL	BAL
2018	BAL	BAL

after the BNP launched a failed movement in early 2015. Even non-partisan peaceful protests were dealt with heavy handed measures.³⁶ Extrajudicial killings and enforced disappearances increased significantly. BNP chairperson Khaleda Zia was sentenced to 17 years in two separate cases in February and October of 2018. The Chief Justice of the country, who left Bangladesh, alleged that he was forced to resign after delivering a verdict against the government.³⁷

The 2018 election: death of democracy by manipulation and blunt rigging

The 2018 election was a watershed moment in making Bangladesh an electoral hegemonic authoritarian regime. This was facilitated by both subtle manipulation and blunt rigging. The subtle tactics shaped the overall political atmosphere, which was furthered through creating a climate of fear well before the election cycle began in October 2018. Since the announcement of the election schedule, in addition to the climate of fear, blatant steps were taken which precluded any possibility of a credible, fair and transparent election. These include neutering opposition candidates through imprisonment and confinement, disqualifying opposition candidates, limiting the effective oversight of the electoral process through denying international observers, and establishing control over media.

Creating a climate of fear

Bangladesh has been witnessing the growing number of extrajudicial killings and enforced disappearances in the past decade.³⁸ However, in early May 2018, the government launched an anti-narcotic drive under which more than 200 people were killed in a few months.³⁹ The elite force named the Rapid Action Battalion (RAB) and police were given free reign by the Prime Minister.⁴⁰ While notorious drug merchants connected to the ruling party were left untouched, petty criminals and people with no connection to drug trafficking were killed; it sent a message of the necessity to be in the good book of the ruling party. The impression that further impunity has been accorded to the law enforcement agencies served as the source of fear among people. There are serious allegations that opposition activists were targeted in the drive. But most importantly it spread a sense of vulnerability and fear. The death of 437 people in 2018 through extrajudicial measures,⁴¹ the highest in the history of the country, testifies to the extent of these incidents. Equally effective was the uptick in the incidence of enforced disappearances, 34 in 2018, of political activists, academics, former diplomats and others.⁴² By October 2018, the increased extrajudicial killings and enforced disappearances successfully permeated fear among the citizens.

Neutering the candidates

As the election approached an alliance of the opposition, the Jatiyo Oikyo Front (JOF, National Unity Front), emerged in October which included the major opposition party, the Bangladesh Nationalist Party (BNP) as a member. As the alliance began selecting its candidates, the incumbent began employing blatant tactics of neutering the candidates through arrests, imprisonment and confinement. According to the independent commentators and right-based organization reports, the election

environment was organized in a way that favours the ruling party.⁴³ A Dhaka-based civil society organization, SHUJAN, analysed the affidavits filed by the election candidates at the Election Commission and found that more than 61% of the opposition alliance's 287 candidates faced criminal cases, compared with only around 7% of the ruling party's 299. The SHUJAN claimed that most of the cases against the opposition are "politically motivated".⁴⁴

The intensified crackdown on the opposition party members and supporters-arrests, imprisonment and harassment- began in the months before the election. The opposition political party BNP claimed that the authorities have brought a staggering total of more than 300,000 politically motivated criminal cases against opposition members and supporters⁴⁵, and more than 8200 have been arrested, four workers had been killed and more than 12,300 injured in various assaults in the last three weeks before the election.⁴⁶

Besides BNP, supporters of the opposition alliance, JOF, have also been targeted. Even the top opposition leaders were not spared from these criminal charges.⁴⁷ Courts repeatedly denied the opposition leaders' bail petitions and some of them had to compete from jail. The opposition candidates were also physically attacked and assaulted during their campaign trail;⁴⁸ some of their residences were also attacked.⁴⁹ In many instances the members of the law enforcing agencies were present, but they turned a blind eye. Opposition candidates' incessant appeals to the Election Commission to ensure their security were also ignored.

Disqualifying opposition candidates

From the early stage of filing for candidacy, opposition candidates were targeted to be disqualified by the electoral commission, often on flimsy grounds. Clearly the EC employed a double-standard. For example, while the opposition candidates were disqualified for defaulting bank loans, candidates of the ruling party and its allies were allowed despite such records.⁵⁰ As many as 141 opposition candidates were disqualified in the process.⁵¹ The opposition alliance had filed multiple candidates anticipating that some of its candidates may be disqualified, this strategy paid off. Yet, at least 18 were disqualified after nominations were confirmed. Hence, a significant number of opposition candidates were forced to remain engaged in an arduous and time-consuming legal battle to simply validate their nomination instead of campaigning. It should be noted here that there might be corrupt candidates on both sides, but the persecution of corruption and malpractice was politicized and selective.

Limited presence of election observers

Credible foreign and local election observers were discouraged and in certain cases excluded from participating in this election. Intentional delay and rigidity in terms of issuing visas led to non-participation of recognized observers. While reputed observers were screened out, there was a presence of government sponsored observers whose antecedents are doubtful and thus reflected in their statements. The extent of the irregularities received less than expected attention in the international media due to the absence of international election observers and severe restrictions imposed on journalists.⁵² Unlike previous national elections, the number of international monitors during the election was significantly small. As opposed to 160

thousand domestic and 600 international observers in the 2008 election, and about 218 thousand domestic and 225 international observers in the 2001 election, the EC approved only 25,920 local observers for monitoring, and the actual number on election day may have been far less than the approved numbers.⁵³ As for the international observers, the government was less than cooperative beyond its lip service. While the European Union did not send any election observers,⁵⁴ accreditation and visa of the US funded monitors of the Asian Network for Free Elections (ANFREL) were delayed forcing the ANFREL to terminate its mission⁵⁵ which led to a spat between the US State Department⁵⁶ and the Bangladesh Government.⁵⁷

Controlling the media

Rules and conditions imposed by the EC on media regarding the coverage of the election, particularly during election day, hindered the flow of information. Mobility of media was constrained by the regulation that only accredited press can use vehicles during election day. The authorities intermittently slowed down the speed of the internet a few days ahead of the election and on Election Day, it was downgraded to 2G services.⁵⁸ These actions compounded the fearful situation as a new draconian law called the Digital Security Act (DSA) came into effect in October.

The DSA act provided more broadly drawn restrictions on freedom of expression and draconian custodial sentences, the international human rights organization Human Rights Watch (HRW) argued.⁵⁹ The extent of the reach of this law can be understood from the press report that, at least 63 people, including online and cultural activists and journalists, have been arrested under the Digital Security Act between its coming into enactment on 8 October 2018 and 15 January 2019, mostly for their alleged activities against the prime minister, her father and the government on social networking sites, especially Facebook and YouTube.⁶⁰

Case study: observing election in one constituency

The Bangladeshi parliament has 300 constituencies, with each constituency having a geographically demarcated area. We conducted this study following interviews and participatory observation methods and gathered data in the pre-election period and on the election day in one of these constituencies. The field work was conducted from 5 December to 31 December 2018. During the pre-election period, data have been collected by informal conversations with the local journalists, supporters and activists of the candidates, visiting campaign offices and observing the candidates' campaign activities. On the election day, one of the authors visited polling centres and conducted informal conversations with the voters and candidates' workers. Besides, he collected information about the voting in the other polling centres, which he could not visit in person due to the time constraints, by informal conversations with the witnesses via mobile phone. The contact numbers of these witnesses were previously collected during pre-election field work.

The constituency for our study falls within a district in Rajshahi Division. The name of constituency is withheld, and initials of the names of the polling centres, villages and unions are used to protect the identity of the respondents and interviewees. This is a larger than average constituency – with over four hundred thousand voters divided into one municipality and 15 unions, each of which is further divided into nine

wards. A total of 158 centres were assigned for polling. The locality is considered as a strong base of the opposition BNP, since 1991 the BNP candidate won thrice – in 1991, 1996 and 2001.

Electioneering in this constituency began in a festive mood, and enthusiasm among party activists was palpable. This was somewhat different from many other constituencies where the campaign started with some apprehensions. Local people and candidates provided an impression of a competitive election after a decade. Despite most of the well-known opposition activists and leaders facing several criminal cases filed by the administration or BAL activists, allegedly on fictitious charges, overall party activists were in good spirit. Campaigning at the outset went ahead relatively unimpeded. Occasional intimidation and threats notwithstanding, the first ten days of the formal campaign (December 8–18), was relatively peaceful.

However, there was comparatively less enthusiasm among the ruling party candidate and supporters, and a surprisingly lacklustre campaign was noticeable. As soon as the campaign began, every ward was brimming with meetings and rallies for the opposition BNP candidate; but in many wards, the ruling Awami League's campaign was visibly lagging behind.

Around this time, informal conversations with the ruling party activists revealed that they were brimming with confidence that they would win irrespective of “how many votes BNP receives”.⁶¹ Such a claim was considered far fetched and the possibility of widespread rigging was considered not feasible because of the organizational strength of the BNP. The BNP activists insisted that they would be able to prevent any effort to capture the polling centres on election day. BNP campaign organizers confided to one of the authors that their internal polls and assessments show a large margin which can't be swayed with ballot-stuffing in a few polling centres. They argued, too many polling centres will be needed to be captured to secure the BAL candidate's victory.

On 20 December, 10 days prior to the election, police began arresting the key opposition activists and local leaders, in some cases without a warrant. Written complaints were made by the opposition campaign office to the Returning Officer (RO) and the Assistant Returning Officer (ARO), but no actions were taken by them.⁶² On the contrary, some local leaders alleged that an elite force commander reportedly called them to its office and “threatened” subjecting them to “crossfire”. Crossfire is a euphemism for extrajudicial killing perpetrated by an elite force known as the Rapid Action Battalion. A Human Rights Organization claims that a total of 2070 were killed in incidents of crossfire or gunfight between 2001 and 2017 in Bangladesh.⁶³ In 2017, “crossfire” cost 139 lives. Not surprisingly, after visiting the elite force's office, these local leaders went into hiding and became absent from the election campaign.⁶⁴

Five days before to the election, on December 25, BAL activists in some unions started adopting aggressive postures. They started tearing down opposition candidates' posters and banners in several unions. They brought out processions and vandalized the opposition campaign offices in broad daylight. Opposition candidate's campaign managers informed the local authorities to no avail.⁶⁵ In some places, BAL activists reportedly staged fake vandalization of their own offices and filed lawsuits to pin these charges on the BNP campaigners. These lawsuits, however, triggered prompt actions from law enforcement. The police started rounding up all those who were accused of attacks on BAL offices. These arrests created a climate of fear in the aforementioned unions.

Despite all these, the opposition campaigners, apparently, did not lose morale until election day. The day before the election, several sources claimed that that “something” might happen on the night before the election. What this “something” could be remained a matter of speculation and some activists insist that the ballot stuffing the night before is a possibility.⁶⁶

Suspicion that something unusual was taking place the night before came to pass as an incident was reported from E. polling centre of the B. union. A witness, who spoke on condition of anonymity, said three vehicles arrived at that centre late at night – one black and another white microbus and one blue pickup truck – all appeared to be government vehicles.⁶⁷ A little later, a privately-owned jeep arrived with a few men – who the witness identified as a local BAL leader and his supporters.⁶⁸ A battery operated auto-rickshaw joined them. These vehicles stayed at the polling centre for around 10–15 minutes. As the polling centre was located in the densely populated neighbourhood, local inhabitants quickly noticed these activities and started gathering around the centre.

The witness described that a jute-sack full of ballots was brought in, and after those vehicles had left, the presiding and assistant presiding officers started stamping those ballots. Some 30–35 people surrounded the polling centre and raised hue and cry. As they started banging on the door of the polling centre, witnesses say those three vehicles and their passengers returned, presumably responding to the presiding officer call. At this time, armed individuals, apparently belonging to a special force, emerged from the vehicles, brandished their weapons and drove out the crowd. They remained in the polling centre and local BAL activists soon joined them. Those who were at the scene and protested in front of the polling centre, were visited by district police officials in the dead of the night, accompanied by local BAL members.

Whether there were other centres which experienced the same kinds of occurrences is an open question, thanks to usually harsh winter nights which forced most of the common people inside the home. But the next morning, in K. village of D. union, people reportedly detained four BAL activists with already stamped ballots.⁶⁹ Police reached the spot and rescued them from the crowd. While the crowd was told that these four were being arrested, they were released on way to the police station.

These incidents prompted the opposition candidate to call the Assistant Returning Officer (ARO) or Upa Zilla Nirbahi Officer (UNO; the chief executive officer at the sub-district level) since midnight. He claimed that he continued calling the Returning Officer (RO), who is also the District Commissioner (DC), but failed to reach him as DC didn't pick up the phone, although all candidates were told that they can reach him at any time to report any anomalies failing to reach out via telephone. The opposition candidate went to the UNO's residence in person, but the UNO declined to meet him. He was assured that the UNO has been informed.⁷⁰

Voting started at 8 am and within minutes frenetic calls from opposition candidate's supporters and polling agents began to opposition campaign offices with complaints. In some centres, the opposition polling agents were not allowed to enter, and, in some others, the agents were driven out. The complaints were mostly from those five unions where the ruling party had relatively stronger grassroots level organization. These complaints were relayed to the election authorities by the opposition candidate, but neither DC (RO) nor UNO (ARO) paid attention to the complaints.

After first capturing the polling centres where the ruling party had stronger organization, the party activists gradually started moving to others. The inaction or the connivance of the administration in the early morning was a signal to the BAL activists.

Waves of attacks were launched to centres where reasonably large numbers of voters were present, and the BNP activists were trying to mount some resistance. Indiscriminate bomb blasts created panic and voters left the centres, followed by machete-wielding BAL activists chasing the activists of the opposition, followed by groups of armed men brandishing revolvers and pistols and firing. These established their control over the centres by 11 AM, reportedly 21 polling centres were captured by them. In each of these centres, after driving the opposition polling agents out and clearing the premise of ordinary voters, they continued ballot stuffing in favour of the BAL candidate. The opposition campaign office lodged a written complaint to ARO right away to withhold the result of these 21 centres. But those petitions went unheeded.⁷¹

Despite these incidents and losing control over these 21 centres, the opposition camp remained optimistic about the victory, but the opposition's hope sank when their supporters reported that members of the law enforcement agencies have started to openly help BAL activists in ballot stuffing in many centres. Any efforts to stop them were met with police actions, including firing. For example, police fired on the crowd in F. H. area in B. union, and injured several.⁷² By afternoon, the centres within the city were captured. Capturing centres and ballot-stuffing continued until the end of polling at 4 pm. In addition to the aforementioned 21 centres, it was later learned from witnesses that election was rigged in another 34 polling centres.⁷³

Beside these 55 centres, credible allegations from other centres of ballot stuffing on the night before were reported. The opposition candidate, however, maintained that he would win because the remainder of polling stations, especially where his polling agents managed to hold their grounds, would provide him with an insurmountable lead. Early results showed a favourable trend for the opposition. Until 89 polling centres were reported the opposition maintained a healthy lead of around 30,000 votes.⁷⁴ But then, the results stopped coming in. Those were the ones where the opposition polling agents were either not allowed to enter or were driven out at the beginning of the day. When centres subsequently reported voting outcomes, there appeared in some cases to be manipulation of results: the number of cast votes and differences of votes between candidates in these polling centres were both contrary to previous outcomes and also appeared to reveal a pattern of manipulation. The pattern was the high number of cast votes and huge differences between the candidates; results of the following polling centres are cases in point (Tables 2 and 3).

Before declaration of the final result, members of the law enforcement force and the BAL activists had cleared the premise of the UNO office (where the final tally had been prepared by the ARO) of BNP activists and supporters.

The final result was declared in favour of the ruling party candidate.

Table 2. High number of vote cast and unusual differences between candidates.

Polling centres (Initials, names are withheld)	Total voters	Votes cast	Boat (ruling party)	Paddy sheaf (opposition)
D. Govt. Primary School	1662	1545	1523	16
B. Govt. Primary School	3016	2946	2919	17
P. Govt. Primary School	1581	1513	1478	09
M. Girls High School	1810	1700	1690	10
M.D. Madrassa adjacent Govt. High School (W)	2311	2241	2207	29
H. R. High School (M)	2519	2466	2410	47
C. Govt. High School	3576	3394	3347	08

Table 3. Abnormal 100% vote cast.

Polling centres (Initials, names are withheld)	Total voters	Votes cast
U.K. D. Govt. Primary School	2076	2076
R.N. Govt. Primary School	2169	2169
C. Govt. Primary School	1844	1844

Vote rigging in other constituencies

Was the constituency under our observation during fieldwork an aberration, especially with regard to ballot stuffing on the night before, driving out the polling agents, capturing the centres by the ruling party activists and the close cooperation between the ruling party and the administration? Press reports and an election observation report by Transparency International Bangladesh (TIB) clearly suggest that it was not.

A news report published by the *Daily Star* after election day depicts the clear picture of how the election was conducted. The newspaper correspondents visited around 250 out of 2698 polling centres in Dhaka and around 350 in 25 other districts.⁷⁵ According to their correspondents, in all of these polling centres, the ruling party men adorned with the badges of their candidates controlled the voting process, asking and compelling the voters to vote for BAL's symbol "boat". Some voters, who did not want to comply with their directions, were forced to leave the polling centres. Even the election commission officials and law-enforcers seemed to be orchestrated to BAL men's tune, according to the news report. In several cases, the correspondents themselves were threatened, not allowed to enter the polling centres, or escorted to the voting booths by the ruling party muscle men and coerced to vote for "boat".

The Guardian reports that BAL men accompanied the voters to the voting booth and compelled them to vote for the ruling party in several instances.⁷⁶ Sometimes long queues were observed in front of the voting centres but only BAL supporters or activists were reportedly allowed to enter in the voting booths. In one instance, a BBC correspondent saw filled ballot boxes at a polling centre soon before polls opened.⁷⁷ Unbridled ballot stuffing and ousting of opposition polling agents either in presence of or help of Police and BGB are also found in some constituencies. In one case, when a journalist was trying to take photographs of ballot stuffing by ruling party men, he was threatened and surrounded. The BAL men told him "if you want to live, get out".⁷⁸ Violence broke out in some voting centres when vote rigging was resisted, 17 people succumbed to death on the Election Day.⁷⁹

Transparency International Bangladesh (TIB) surveyed randomly selected 50 constituencies and its report provides a litany of irregularities similar to our case study. The report documents irregularities in at least one or more voting centres of 47 out of 50 constituencies.⁸⁰ The TIB found in 20 constituencies ballot boxes were filled up even before polling started in the morning of election day. TIB report documents that in 33 constituencies' ballot papers were stamped the night before, and in 30 constituencies ruling party activists captured the polling centres and were engaged in ballot stuffing. The TIB study claims that voters were driven out and barred from going to the polling centres, election agents of the opposition candidates were not allowed to enter the centres. One of the important findings was that in 42 constituencies the members of the administration and law enforcing agencies acquiesced as they remained inactive.

Few other statistics reveal the extent of rigging in other places. For example, in six constituencies, the BAL candidates won with 99% of the votes cast.⁸¹ The margin of victory prompted the *Washington Post* to comment, “... that kind of margin of victory – 96 percent – was a result one might expect in a place like North Korea, not a democratic nation such as Bangladesh”.⁸² Some polling centres recorded a 100% voter turnout, a rarity by any standards.⁸³ Although millions of voters were unable to vote, the official voter turnout was about 80%. In several constituencies, BNP candidates were shown to have received zero votes in polling centres, which is equally unprecedented and unbelievable.⁸⁴ In Khulna-1 constituency, 22,419 more votes than the total number of voters were cast. The government filed cases against the journalists who reported the news.⁸⁵

Conclusions

As the crisis of democracy has become a global phenomenon and more countries are on a reverse course, “elections without choice” are becoming a norm rather than an exception. Rulers of hybrid regimes are using various tools to manipulate elections to ensure victory while providing a veneer of legitimacy. Yet, there are few studies which have explored the *modus operandi* of these elections. This article underscores the need for focusing on these elections, particularly how these elections are manipulated.

This article shows that the 2018 Bangladeshi elections were manipulated not only by ballot stuffing during the day of election, but also through various means as the election process commenced. These included the creation of a “climate of fear”, neutering opposition candidates through imprisonment and confinement, disqualifying opposition candidates, limiting the effective oversight of the electoral process through denying international observers, and establishing control over the media. The case study through interviews and observation have supplemented the secondary sources’ account that a ruling party, civilian administration, law enforcing agencies and the electoral commission acted in unison to deliver an unprecedented and incredible victory to the ruling Bangladesh Awami League.

The significance of the article lies not only in the documentation of the processes of the denial of the Bangladeshis of an opportunity to elect their representatives, but also in understanding how an election in a hybrid regime can become an instrument of the death of democracy.

Notes

1. Hermet, Rose, and Rouquié, *Elections Without Choice*.
2. Huntington, *The Third Wave*.
3. Karl, “Electoralism.”
4. Hermet, Rose, and Rouquié, *Elections Without Choice*, 1.
5. Cited after Leah, and Mohseni. “Beyond Authoritarianism,” 274.
6. *Ibid*.
7. Ottway, “Democracy Challenged.”
8. The Economist Intelligence Unit, “Democracy Index 2015 Democracy in an Age of Anxiety.”
9. Levitsky and Way, *Competitive Authoritarianism*; Lindberg, *Democratization by Elections*; Schedler, “The Logic of Electoral Authoritarianism,”; Ekman, “Political Participation and Regime Stability.”
10. Schedler, “Elections Without Democracy.”

11. The Electoral Integrity Project, “Why Elections Fail and What We Can Do About It.”
12. Cheeseman and Klaas, *How to Rig an Election*.
13. Safi, Holmes, and Ahmed, “Bangladesh PM Hasina Wins Thumping Victory in Elections Opposition Reject as ‘Farcical’.”
14. New York Times Editorial Board, “Bangladesh’s Farcical Vote.”
15. The Economist, “Obituary of a Democracy.”
16. Slater and Majumder, “Why Bangladesh’s Landslide Election Result Is Bad for Its Democracy”; Kugelman, “A Disputed Election and a Dangerous New Era for Bangladesh’s Politics”; Milam, “Civilian Coup d’etat”; Ganguly, “The World Should Be Watching Bangladesh’s Election Debacle”; Ahmed, “In Bangladesh, Sheikh Hasina’s Landslide Victory Confirms That Democracy Is Dead”; Rabbee, “A Deeper Look at the Bangladesh Election”; Choudhury, “The Bell Tolls on Bangladesh’s Democracy.”
17. Cheeseman and Klaas, *How to Rig an Election*.
18. For discussions on the process of democratic backsliding, particularly in Bangladesh, see Riaz, “The Pathway of Democratic Backsliding.”
19. Norris, Frank, and Coma, *Advancing Electoral Integrity*.
20. *Ibid.*, 53.
21. Calingaert, “Election Rigging and How to Fight It,” 138.
22. Schedler, “Elections Without Democracy,” 42.
23. *Ibid.*, 42–5.
24. Cheeseman and Klaas, *How to Rig an Election*.
25. Singapore Times, “India Cancels Polls in Southern Area Over ‘Vote Buying’.”
26. Bovet and Makse, “Influence of Fake News in Twitter During the 2016 US Presidential Election.”
27. Cheeseman and Klaas, *How to Rig an Election*, 157.
28. Freedom House, “Methodology, Freedom in the World 2012.”
29. Kochenek, “Bangladesh in 1996.”
30. Riaz, “‘Dynastic Politics’ and the Political Culture of Bangladesh”; Amundsen, “Democratic Dynasties?”
31. Riaz, “A Crisis of Democracy in Bangladesh.”
32. Odhikar, “Statistics on Killed by Law Enforcement Agencies”; Parvez, “Explaining Political Violence in Contemporary Bangladesh (2001–2017).”
33. Parvez, “Explaining Political Violence in Contemporary Bangladesh (2001–2017).”
34. Riaz, “Shifting Tides in South Asia.”
35. Paul, Serajul Quadir, and Siddiqui, “In Fear of the State.”
36. Anam, “Commentary.”
37. Bergman, “Bangladesh.”
38. Human Rights Watch, “World Report 2019”; Human Rights Watch, “Bangladesh.”
39. Quackenbush, “Rights Group Says 200 Killed in Bangladesh Drug Crackdown.”
40. Baldwin and Paul, “Arrested and Killed.”
41. Hasan, “Ain O Salish Kendra: Extrajudicial Killings Highest in Six Years”; The Daily Star, “Rights Situation in 2018.”
42. Odhikar, “Statistics on Killed by Law Enforcement Agencies.”
43. Siddiqui, Das, and Paul, “Ahead of Bangladesh Vote, Opposition Says It Faces ‘A Reign of Terror’”; Irani, “Shujan.”
44. Siddiqui, Das, and Paul, “Ahead of Bangladesh Vote, Opposition Says It Faces ‘A Reign of Terror.’”
45. Antara, “BNP Fears Coercion, Alleges Police Crackdown Ahead of National Polls.”
46. Siddiqui, Das, and Paul, “Ahead of Bangladesh Vote, Opposition Says It Faces ‘A Reign of Terror.’”
47. The Daily Star, “Weighed Down by Cases.”
48. Local media reported on how the opposition candidates were attacked during the election campaign. See also, The Daily Star, “7 Candidates Attacked”; The Daily Star, “Motorcade of Dr Kamal Attacked.”
49. Rana, “BNP Candidate’s Home Attacked in Sirajganj”; bdnews24.com, “BNP Candidate’s Home Comes Under Attack in Madaripur.”
50. The Daily Star, “Nominations Rejected.”

51. Ibid.
52. Nowshin, "Unjustified Restrictions on Media and Observers"; The Wire, "Bangladesh's Restriction on Observers and Media Raises Concerns Before Elections."
53. Alamgir, "Now Local Observers Even Fewer."
54. The Daily Star, "No Observer This Time from European Parliament."
55. ANFREL, "Anfrel Statement on the Termination of Its Mission in Bangladesh."
56. Alamgir, "Now Local Observers Even Fewer."
57. Quadir and Das, "Bangladesh Says Foreign Election Observers Welcome, Rejects U.S. Criticism."
58. The Daily Star, "National Polls."
59. Human Rights Watch, "Bangladesh: Crackdown as Elections Loom."
60. Rashid, "63 People Held Since October."
61. Several ruling party activists and local leaders told the author that the voting turnout would not decide the outcome of the election. When asked why they thought that, they either laughed or winked and rather boastfully said 'everything is fixed in favour of our candidate'.
62. Authors obtained copies of these complaints filed at ARO office.
63. Odhikar, "Statistics on Killed by Law Enforcement Agencies"; Parvez, "Explaining Political Violence in Contemporary Bangladesh (2001–2017)," 60.
64. Their absence was noticed by one of the authors of this article. At least two local BNP leaders claimed that they were threatened to get arrested or killed by crossfire if they continued their campaigns for the BNP candidate.
65. One of the authors had obtained copy of the complaint to ARO office.
66. At least 5 individuals, including activists for both candidates and local journalists, speculated to one of the authors during informal conversations that ballot stuffing would occur at the night of the election.
67. The witness described the incident to one of the authors on 31 December 2018.
68. The name was confided by the witness and later verified from other sources. We are withholding the name of the person.
69. A witness described the incident to one of the authors on 31 December 2018.
70. The opposition candidate and his campaign organisers told one of the authors of this study about the reluctance and avoidance of the UNO, the local authority and ARO of the constituency to stop the vote rigging, even he did not make himself available to hear the complains on the election night.
71. Opposition candidate's campaign office filed written complaint to the ARO office after These 21 voting centres were captured before 11 AM on the election day. The authors have a copy of the written complaint.
72. On the election day, one of the BNP activists gave a detailed description of the violence in a phone conversation. The authors had collected names of 4 injured persons. Later, one of the authors had an informal conversation with one of them, who was badly injured on the election day. The names of 4 injured persons were verified by the witness. We are withholding the names for their security.
73. By talking with the anonymous witnesses, activists and local journalists, the authors had compiled a list of these 55 centres on 31 December 2018.
74. One of the authors was present at the opposition candidate's election office and later at the premise of ARO office, where official declarations of vote counts were made.
75. The Daily Star, "As We Saw."
76. Safi, Holmes, and Ahmed, "Bangladesh PM Hasina Wins Thumping Victory in Elections Opposition Reject as 'Farcical'."
77. BBC News, "Bangladesh Opposition Demands New Poll."
78. The Daily Star, "As We Saw."
79. Safi, Holmes, and Ahmed, "Bangladesh PM Hasina Wins Thumping Victory in Elections Opposition Reject as 'Farcical'."
80. The Daily Star, "Polls Anomalies in 47 of 50 Seats."
81. Hossain and Karim, "Asonsankhai record, voter babodhaneo [Record in Number of Seats, also in Vote Differences]."
82. Slater and Majumder, "Why Bangladesh's Landslide Election Result Is Bad for Its Democracy."
83. The Daily Star, "Turnout 100pc!"

84. Ibid.
85. bdnews24.com, “Khulna Journalist, Arrested Over Election News, Secures Bail.”

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