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**Conference Paper**

# Political Crime in South Asia: A Theoretical Explanation

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**Abstract:** The conference paper focused mainly on political crime and victimization in South Asian developing countries (i.e., demographic subdivision Bangladesh). The objective of this paper is drawing successful strategies to make exploitation free life on the basis of the existing laws and theories to eradicate the peril. The data was collected mainly from secondary sources. After liberation war in 1971 there was no existence of the term political crime specifically but now it is the most detrimental crime which is increasing day by day. The perceived types of political crime included genocide, espionage, extrajudicial killings, political assassination, election fraud and violence etc. The underlying causes of political violence are political-ideological issues, Secularism and religion etc. The general people are the victim in this regard. The study was recommended to take a collaborative action to all the stakeholders to create awareness to the political parties enforcing laws by government to eclipse these sorry tales.

**Keywords:** Political Crime, Terrorism, Victimization, Theoretical Explanation, South Asian Countries

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## 1. Introduction

Despite the vivified development of the economy of our country, the rate of political crime is at zenith. The extent of political crime and violence against general people was supposed to be low in democratic country compared to other political government but the present scenario of the Bangladesh is really perilous. All the organs of criminal justice system are working as vigilant to prevent political crime. Some studies suggest some crucial recommendations to reduce the extent of political crime in Bangladesh which are not such effective. Theoretical explanation of political crime occurred in recent time may give us some exclusive direction to control and mitigate the problem.

There is no universally recognized definition of what constitutes a political offense. However, there is a generally accepted rule which states that political offenders are not subject to international extradition (McCall-Smith & Magee, 1975). The fundamental difficulty in arriving at a universally acceptable definition of a political offense results from the

wide variety of tests used by the various nations' judicial or executive branches in attempting to measure the offender's motivations and political goals. 6 Taking into account the various approaches in existence, it is now considered by one authority that a political offense can be broadly defined as an offense against the security of the state (M. Bassiouni, 1969).

A reasonable definition of Political crime might then be any illegal or socially harmful act aimed at preserving or changing the existing political or social order. This is not a perfect definition because it leaves open, for example, the question of two defines whether a given act is "socially harmful," but it does get at what most scholars mean by political crime (Tunnell 1993). Although the actual behavior involved in political crime (e.g. murder) may be very similar to that involved in conventional crimes, the key difference is that political crime is performed for ideological reasons. Thus tax evasion intended for personal gain is fraud, whereas nonpayment of taxes to protest US military or taxation policy

is a political crime. A killing during a robbery is a homicide, whereas a killing by an act of terrorism is a homicide but also a political crime. (Steven E. Barkan, 2009)

Different organizations and authors studied for the purpose of determining the trend, nature and causes of political crime in Bangladesh. A remounted research institution named Ain O Shalish Kendra (ASK) studied on politically violent incidents in 2005 and shows statistics of how many people are killed and injured in these incidents. M. Moniruzzaman analyses the causes, manifestation and consequences of political violence in Bangladesh in his article in 2009 and shows different aspects of political crime. Another organization Odhikar revealed a report on Disappearances and kidnappings committed by major organs of criminal justice system like RAB in 2012. Human Rights Reports Bangladesh 2013 shows the some important corruption committed by governmental officials which is considered as political crime because the political power is used to commit this crime for personal gain.

Since liberation war of Bangladesh the nature and diversity of political crime has been changed till now. If we consider the number of political murder in early seventies, even this concept was not developed. By time the political party has changed to different ideology where the government is sometimes ruled by military and caretaker government which is not expected in such democratic country. A recent survey on inter-party conflicts documented a total of 2,423 incidents during 1991 to 2001. There were 1,066 conflicts (44 per cent) of this nature during the BNP regime (1991–1996) and 927 (38.25 per cent) during the Awami League regime (1996–2001). The number during the Caretaker Government of 1996 was 102 (4.21 per cent), and during the Caretaker Government of 2001 it was 328 (13.54 per cent). (Islam, S. Aminul, 2006)

Mooted political crime is the most growing crime in Bangladesh. The political conflict between different groups has resulted in high levels of violence and a brutal state response. The nature and extent of political crime in Bangladesh is quite indiscernible. The nature of political crime is different from other conventional crime. Political crime is very perilous for the people of the society as well as society. It is crucial to determine the causes of commission of political crime to reduce the magnitude of the consequences of political crime. It is high time to give up practicing the system of dirty politics in our country. To get rid of this situation we need to find out the root causes of the culture of abusing the political power for personal gain. This study will give us some informative suggestion of how to control of involving crime for specific motivation to change or stable any ideology.

In modern time the problem of political crime is increasing rapidly. So this study is demand for time. The main objective of the study is to reveal the nature of political crime, to enunciate the causes of political crime and to find out the way controlling and preventing this political crisis. Recent incidents of political crime in Bangladesh is the prima facie evidence of this problem so if we want to negate political crime, we have to evaluate the root causes of political instability and violence.

This paper is mainly based on secondary source of data which is used to determine the trend, nature, causes of political crime. Several authentic books, research articles, reports published by governmental and non-governmental research organization, human rights organizations and some newspaper articles are used as a source of data to explain the situation of political violence and crime in Bangladesh.

Three main part of this paper will elucidate the nature, causes and theoretical explanation of political crime. First introductory part will give an overall concept and information about political crime then the most important body part will describe nature of political crime, causes of political crime and theoretical explanation of political crime with relevant example in Bangladesh. Lastly conclusive part will give some recommendation for the government, general people, law enforcement agency, criminal justice system and especially for political parties.

## 2. Trend of Political Crime in Bangladesh

After liberation war in 1971 there is no existence of the term political crime specifically. Mostly the concern of political crime is established after the case of assassination of Sheikh Mujib with his family by some junior army officers. Afterwards with the change of different ruling party the nature and extent of political crime have been changed. If we consider the statistics, we can evaluate the nature and trend of political crime in Bangladesh. Odhikar reveals some crucial statistics of crime rate since 2001 every year. In 2001, total 656 political murder and 25,770 injured for the violence of political purpose which was at zenith. By the time the effect of political violence has decreased but suddenly the number of injury was increased to 21,265 in 2006 and 24,176 in 2013. Extra judicial killing was other important types of political crime committed by the state through law enforcement agency which violates the human rights of the general people of our country. From 2004 to 2006 government was so active to reduce the terrorist activities by local terrorist group so most of the members of the terrorist group were killed by the law enforcement agency through crossfire. Political corruption is the most detrimental crime which is increasing day by day.

## 3. Nature of Political Crime

As a definition, then, we may state that political crimes are those infractions committed for reasons over and above the self-interest of their perpetrator and which are an attempt to achieve changes of a political, social or religious order. When they run counter to public opinion because of the methods used, they are always deprived of their special character and become common law infractions. Steven E. Barkan (2009) describes the nature of political crime in his book named *Criminology: a Sociological Understanding*. According to Barkan political crime is generally classified into two categories: (1) Crime by Government (2) Crime against Government.

### 3.1. Crime by Government

Crime by government also called state crime or state criminality (Kauzlarich, Mullins, and Matthews, 2003), aims to preserve the existing order and includes (i) Political repression and human rights violations (genocide, torture, assassination, and other violence; surveillance and infiltration; and arrest, prosecution, and imprisonment) (ii) Unethical or illegal experimentation (iii) The aiding and abetting of corporate crime and (iv) political corruption. As many scholars place this corruption in the occupational-crime category. But because political corruption violates the public trust by enhancing the wealth and influence of political officials, other scholars consider it a form of political crime, especially when it involves conspiracies of people at the highest levels of government, such as in the Watergate and Iran-Contra scandals.

### 3.2. Crime Against Government

Crime Against Government aims to change the existing order and includes (i) Terrorism, assassination and other political violence (ii) Nonviolent civil disobedience (iii) Espionage and treason (iv) Rebellion and riots, and (v) Civil disobedience. It might be more accurate to call this category "crime against government and other established interests." For example, although much illegal protest is directed against government, as during the Vietnam War, much is also aimed against corporations and other targets. Illegal protest by organized labor, nuclear arms opponents, and animal rights activists are just a few that fall into this category.

With these broad categories of political crime in mind, we now explore its nature and extent by turning to specific examples. There are found various types of political crimes in Bangladesh such as-

1. Election Fraud and related violence (Intimidation, disruption, misinformation, registration fraud, vote buying)
2. Treason and Sedition
3. Espionage (industrial espionage, foreign industrial espionage, legal controls)
4. State political crime
5. Torture
6. Extra-judicial killing
7. Political Corruption
8. Political Assassination
9. War crimes
10. Political violence
11. Political terrorism
- a. Election Fraud and violence

Some political criminals want to shape elections to meet their personal needs. In some instances their goal is altruistic: the election of candidates who reflect their personal political views. In others, their actions are motivated by profit: they are paid by a candidate to rig the election. Whatever the motive, election fraud is illegal interference with the process of an election. Acts of fraud tend to involve affecting vote counts to bring about a desired election outcome, whether by increasing

the vote share of the favored candidate, depressing the vote share of the rival candidates, or both. In the third-world dictatorships, election fraud is the norm, and it is common for the ruling party to announce, after party members counted the votes, that they were returned to office with an overwhelming majority. Sometimes allegations of voter fraud by ruling juntas can have disastrous consequences. Take for illustration the parliamentary elections that took place in Bangladesh on January 05, 2014. After the election the daily Prothom Alo, a widely published daily in the country, reported, on analyzing 19 vote centers in Dhaka that in those centers voter turnout rate was 25.55%. In the Election Day several general people were killed, thousands of are injured and hundreds of thousands are homeless after the election. Arson, torture, repression and other violence is very common scenario of Bangladesh.

Election fraud, a feature of political life since Roman times, includes a variety of behaviors designed to give a candidate or his/her party an unfair advantage. Intimidation: Voters can be scared away from the polls through threats or intimidation. Having armed guards posted at polling places may convince people it is dangerous to vote. Lists of registered voters can be obtained and people subjected to threatening calls before the election. Disruption: Bomb threats can be called into voting places in areas that are known to heavily favor the opposing party, with the goal of suppressing the vote. There can be outright sabotage of polling places, ballots, ballot boxes, and voting machines. Misinformation: Flyers are sent out to voters registered with the opposition party containing misleading information such as the wrong election date or saying that rules have been changed about who is eligible to vote. Registration fraud: Political operatives may try to shape the outcome of an election by busing in ineligible voters from other districts. Because many jurisdictions require minimal identification and proof of citizenship, political criminals find it easy to get around residency requirements. They may provide conspirators with "change of address" forms to allow them to vote in a particular election, when in fact no actual change of address has occurred. Vote Buying: Securing votes by payment or other rewards or the selling of one's vote is an age-old problem that still exists. One popular method is to buy absentee ballots from people who are in need of cash. The fraudulent voter can then ensure that the vote goes their way, an outcome that cannot be guaranteed if the conspirator casts a secret ballot at a polling place.

Human Right Watch (HRW) said that various civic organizations and political opposition groups protesting the election system as a result 200 people were killed and injured thousands more across the country. Hindus often the most affected group in election violence by political parties. Nearly 100 temples were burned down and idols of worship were vandalized. 2 Hindus died due to injuries in the violence. More than 1000 houses were set on fire and destroyed leaving people homeless. 25 November 2013, 180 people were killed poll related confrontations.

#### b. Genocide

The ultimate act of repression is genocide. The term

genocide comes from the Greek word *genos*, or race, and the Latin root *-cide*, of killing. Genocide coined during World War II, refers to the deliberate extermination of a group because of its race, religion, ethnicity or nationality. Genocide is the worst crime by government of all and is often called a crime against humanity.

The International Convention of the Prevention and Punishment of the Crime of Genocide on December 9, 1948 set the United Nations definition of genocide. In the present Convention, Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group.

The most infamous example of genocide of Bangladesh is the mass killing in the night of March 25, 1971 by the military of Pakistan. The genocide called Operation Searchlight is conducted to destroy the national talents to break down the backbone of a nation. They committed Deportation, ethnic cleansing, mass murder, genocidal rape in the name of genocide with the help of Shanti committee Razakars Al-Badr Al-Shams. Unfortunately genocide did not end with the March 25 in Bangladesh. Rarely mentioned as more than a footnote in the history of the late 20th century, 2.5 million Hindus were slaughtered and 10 million Hindus fled as refugees into India during a systematic genocide in 1971 by the then Muslim East Pakistan Army. (Hindu American Foundation, 2014)

#### c. Treason and Sedition

Treason is the crime that covers some of the more extreme acts against one's nation or sovereign. Historically, treason also covered the murder of specific social superiors, such as the murder of a husband by his wife or that of a master by his servant. Treason against the king was known as high treason and treason against a lesser superior was petty treason. A person who commits treason is known in law as a traitor. But there are clear provisions for offenses against the state of which sedition is one, but there are plenty of others some of which might be considered equivalent to what might be considered treason in archaic or alternative jurisdictions beyond Bangladesh. For example, wage of war against the state. Now, the penal code lists a number of 'offenses against the state', including waging war against state, sedition, financing or abetting the war, etc. But only one of them carries a death penalty, which is waging war against state. Most of the other offenses including sedition carry only imprisonment or financial penalty.

Sedition is described by British Indian legislators as originally a common law misdemeanor, not a felony or statutory offense. Treason on the other hand has historically been usually punishable by up to death penalty. Kazi Nazrul Islam was charged with sedition, not treason or 'waging war against' the British government. Before Nazrul, other notable cases of sedition involved trial of Tilak, the various journals

and publications especially during the Swadeshi era, etc.

Sedition has been always associated with public order concerns. Indeed, the documents related to the enactments of sedition-related laws, e.g. comments by judges, colonial administrators and legislators show that the discourse on sedition involved a careful debate over how best to device the legislative and regulatory means to prevent speech or symbolic acts that may threaten public order and public authority. The specific circumstances involved a colonial authority facing a colonized population but here we are not considering the merit of the legal notion of sedition, rather we are examining its conceptual development and use.

The Section 124 (A) of the penal code of Bangladesh defines sedition in the following manner: Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the Government established by law shall be punished with imprisonment for life or any shorter term, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

BNP leader Aslam Chowdhury tried to create anarchy by making the present government seem unpopular to the leaders of Israel's Likud party. A prominent veteran Bangladeshi journalist, Shafik Rehman, has been remanded in custody by a court in the capital, Dhaka, on a charge of sedition. Police say Rehman, who is 82, was arrested on Saturday because of evidence linking him to a conspiracy to murder the son of the country's Prime Minister, Sheikh Hasina. The editor of a Bangladesh newspaper Daily Star, Mahfuz Anam, has been charged with sedition for publishing unverified stories of corruption against Sheikh Hasina during 2007-8, when a caretaker regime was in force. Sedition is the communication of information for the purpose of inciting governmental resistance, defamation, or treason. For example, the speech of Taruque Rahman, is the senior leader of BNP.

#### d. Espionage,

Espionage, more commonly called "spying", is the practice of obtaining information about a government, organization, or society that is considered secret or confidential without the permission of the holder of the information. Espionage involves obtaining the information illegally by covertly entering the area where the information is stored, secretly photographing forbidden areas, or subverting through threat or payoff people who know the information and will divulge it through subterfuge.

Espionage is typically associated with spying on potential or actual enemies, by a foreign agent who is working for his or her nation's intelligence service. With the end of the Cold War, the threat of espionage seemed reduced until 2010, when a major Russian spy group was unraveled and 10 people arrested. These were sleeper agents who had spent decades fitting seamlessly in their new environment. Neighbors were shocked to find out that "Richard Murphy" and "Cynthia Murphy" were actually spies named Vladimir Guryev and Lydia Guryev, while "Michael Zottoli" and "Patricia Mills" were in reality Mikhail Kutsik and Natalia Pereverzeva,

agents of the Russian Federation. The case was settled when the Russians were exchanged for four American spies being held in Russian prisons.

e. Mass Political Violence: Rebellion, Riots and Hartals

Individuals and groups often commit mass political violence like rebellion, riots and hartals to change the status quo. Although it is tempting to think of this violence as irrational acts of demented minds, its motivation and purpose are very rational: to force established interests to grant social and political reforms or even to give up power altogether. In this sense, mass political violence is no less rational, and its users no more deranged.

Political dissents are the main source of riots and hartals, can be expressed in many ways—public political protest (picketing, sit-ins, forming human chains, blocking train tracks, logging roads, etc.), acts of civil disobedience (directly or indirectly disobeying a law and waiting to be arrested), or other expressions of opposition (e.g., circulating petitions, flag burning, wearing clothing with political statements).

The table of political violence in different places of our country from 2001 to March, 2016 shows the statistics of killed and injured for the violence of political purpose. The trend of political murder and killing over the country is quite rife. Political murder was enough severe in early 21 century but the level of it was at bottom in 2007-08. After that period political murder started increasing and reached at peak 504 in 2013 and it's continued till now. On the other hand injury for political violence followed the same root as murder but the trend injury is descending compared with murder.

**Table 1. Political Violence 2001-2016 (Odhikar).**

<b>Political Violence in Bangladesh (2001-2016)</b>			
<b>Year (s)</b>	<b>Killed</b>	<b>Injured</b>	<b>Total</b>
2016 (Jan-March)	56	3200	3256
2015	197	8312	8509
2014	190	9429	9619
2013	504	24176	24680
2012	169	17161	17,330
2011	135	11,532	11,667
2010	220	13,999	14,219
2009	251	15,559	15,810
2008	50	3,185	3,235
2007	79	2,688	2,767
2006	374	21,265	21,639
2005	310	8,997	9,307
2004	526	6,235	6,761
2003	436	6,281	6,717
2002	420	8,741	9,161
2001	656	25,770	26,426
<b>Total</b>	<b>4573</b>	<b>186530</b>	<b>191103</b>

f. Enforced Disappearances:

Enforced disappearance is the crucial form of political violence. In international human rights law, a forced disappearance (or enforced disappearance) occurs when a person is secretly abducted or imprisoned by a state or political organization or by a third party with the authorization, support, or acquiescence of a state or political organization, followed by a refusal to acknowledge the person's fate and whereabouts, with the intent of placing the victim outside the protection of the law. (Jean-Marie Henckaerts, 2005)

**Table 2. Disappearances by Law enforcing agencies (Odhikar).**

<b>Year (s)</b>	<b>Allegedly disappeared by</b>							
	<b>No. of the disappeared persons</b>	<b>RAB</b>	<b>Police</b>	<b>RAB-DB Police</b>	<b>DB Police</b>	<b>Industrial Police</b>	<b>Ansar-Police</b>	<b>Other</b>
2016 (Jan-Mar)	14	5	0	0	8	0	0	1
2015	64	21	7	24	3	0	1	8
2014	39	25	2	8	3	0	1	0
2013	53	23	1	17	0	0		12
2012	26	10	1	0	6	1		6
2011	31	14	2	0	11		0	4
2010	18	14	2	0	2	0	0	0
2009	3	3						
<b>Total</b>	<b>248</b>	<b>115</b>	<b>15</b>	<b>49</b>	<b>33</b>	<b>1</b>	<b>2</b>	<b>31</b>

The considerable cases of enforced disappearance in Bangladesh are described below:

- I. On 25 June 2010, an opposition leader Chowdhury Alam was arrested by the state police and remained missing since then. His abduction was later denied by the law enforcing agencies. (The Daily Star, June & July 2010)
- II. On 17 April 2012, Ilyas Ali, another prominent leader of the main opposition party BNP, went missing after last being seen in Dhaka at midnight with his driver. His private car was found abandoned near his Dhaka home. (BBC News, April 2012)
- III. Aminul Islam, a Bangladeshi trade unionist, was a member of Bangladesh Garment & Industrial Workers Federation and an organizer for the Bangladesh Center of Worker Solidarity. On 5 April 2012, Islam's dead body

was found near Dhaka after being disappeared earlier. The body bore marks of torture. His disappearance and murder sparked much international criticism. (New York Times, September 2012)

g. Terrorism

The political crime that many people are most concerned with is terrorism, and this part focuses on the history, nature, and extent of terrorism and the methods being employed for its control. Despite its long history, it is often difficult to precisely define terrorism (from the Latin *terrere*, which means to frighten) and to separate terrorist acts from interpersonal crimes of violence.

For example, if a group robs a bank to obtain funds for its revolutionary struggles, should the act be treated as terrorism or as a common bank robbery? In this instance, defining a

crime as terrorism depends on the kind of legal response the act evokes from those in power. To be considered terrorism, which is a political crime, an act must carry with it the intent to disrupt and change the government and must not be merely a common-law crime committed for greed or egotism. Because of its complexity, an all-encompassing definition of terrorism is difficult to formulate, although most experts agree that it generally involves the illegal use of force against innocent people to achieve a political objective. According to the U. S. State Department, the term *terrorism* means premeditated,

politically motivated violence perpetrated against noncombatant targets by sub-national groups or clandestine agents, usually intended to influence an audience. The term *international terrorism* means terrorism involving citizens or the territory of more than one country. A terrorist group is any group practicing, or that has significant subgroups that practice, international terrorism. 29 Exhibit 11.4 sets out a number of definitions of terrorism drafted or used by prominent governmental agencies or organizations.

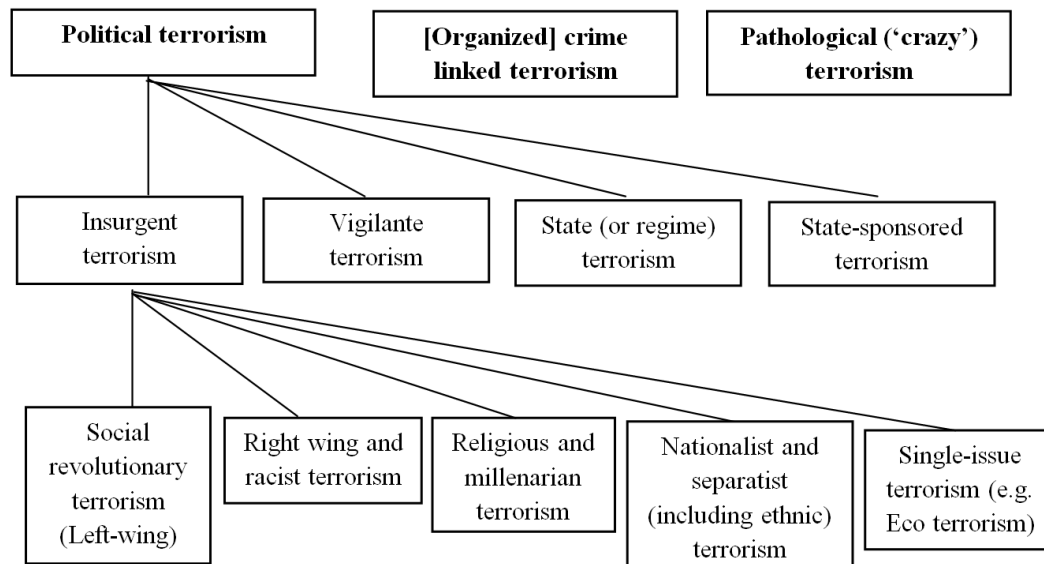


Figure 1. Schmid's typology of terrorism. (Alex P. Schmid).

A lack of theoretical underpinning has hampered terrorism research for over a quarter century. 'Political Terrorism' provides a comprehensive, interdisciplinary framework from which to examine the etiology of terrorism and its effect upon our daily lives. With this work, teaching students about terrorism finally moves beyond a recapitulation of incidents and groups to an attempt to get students to think critically about the causes of terrorism and the effects of government intervention. Political Terrorism should be required reading among students of terrorism and those of us struggling to teach others about this phenomenon. (Brent Smith, Professor, Criminal Justice, University of Arkansas)

Terrorism carries following types- International Terrorism and Domestic Terrorism.

International terrorism involves violent acts or acts dangerous to human life that are a violation of the criminal laws any state, or that would be a criminal violation if committed within the jurisdiction of any state. For example, Attack on World trade center.

Domestic terrorism is the unlawful use, or threatened use, of violence by a group or individual based and operating entirely within the State (or its territories) without foreign direction, committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives. For example, Bomb attack on the cinema hall in 64 district of

Bangladesh in 2004.

Domestic terrorism includes-State terrorism (committed by governments against perceived enemies), Dissident terrorism (committed by groups against governments), Religious terrorism (motivated by belief that a higher power sanctions and commands the use of violence in the name of the faith), Criminal terrorism (motivated by profit), Vigilante terrorism—state terrorism (by police and government), Vigilante terrorism (by private groups against other private groups to maintain the status quo), Insurgent terrorism (against governmental authorities to bring about radical change), Political terrorism (struggle for power), Separatist terrorism (right to territorial succession), Nationalist terrorism (exclusion of other nationalities and ethnic groups), Religious terrorism (recognition of leading role of own religion).

International terrorism includes- transnational or global terrorism (committed by residents of one nation against another nation).

The first terrorist activities were committed by members of minority religious groups who engaged in violence to (a) gain the right to practice their own form of religion, (b) establish the supremacy of their own religion over others, or (c) meet the requirements of the blood-thirsty gods they worshipped. When rulers had absolute power, terrorist acts were viewed as one of the only means of gaining political rights. At times European states encouraged terrorist acts against their enemies.

#### h. Political Assassination

A related form of political violence is Political Assassination, or the murder of public figures for political reason. Political Assassinations are often part of a larger campaign of political terrorism, but they also are sometimes committed by lone individuals beating a political grudge. Murders of public figures are considered Political Assassinations only if they are politically motivated. If someone kills public figures out of jealousy or because of meal illness, it is not a Political Assassination and thus not a political crime as conceived here. Like terrorism Political Assassination has a long history. One of its most famous victims was Roman dictator Julius Caesar, who was killed by group including his friend Brutus and memorized in Shakespeare's famous play.

Example 1: Dhirendranath Datta was a Bengali lawyer by profession who was also active in the politics of undivided Bengal in pre-partition India, and later in East Pakistan. The Pakistan establishment never forgot Datta's continued defiance of state discrimination and authoritarianism. At the onset of the Bangladesh Liberation War, three days after the arrest of Sheikh Mujibur Rahman, Datta was arrested at his Comilla house on 29 March 1971, and taken with his son, Dilip Kumar Datta, to Moynamoti Cantonment and tortured to death.

Example 2: Sheikh Fazlul Haque Mani was a Bangladeshi politician. He was the nephew of the founding father of Bangladesh Sheikh Mujibur Rahman, and the founder of Mujib Bahinione of the major guerrilla forces of the Bangladesh Liberation War. He founded Jubo League the youth wing of Bangladesh Awami League. Sheikh Fazlul Haque Mani, along with his wife Arzu Moni, was assassinated during the Assassination of Sheikh Mujibur Rahman in a military coup on August 15, 1975.

Example 3: Shah Abu Muhammad Shamsul Kibriawas a Bangladeshi economist, diplomat and politician. Kibria was assassinated on 27 January 2005 in a grenade attack in his constituency of Habiganj in Sylhet.

Example 4: Major General Khaled Mosharraf was a Bangladeshi military officer who was the Sector Commander of Bangladesh Forces Sector 2 and K-Force Brigade Commander during the Bangladesh War of Liberation. During the military uprising on 7 November 1975, he was himself overthrown and assassinated.

Example 5: The assassination of Sheikh Mujibur Rahman took place in the early hours of August 15, 1975, when a group of Bangladesh Army personnel went to Mujibur's residence to arrest him. A gun battle ensued with Mujibs' sons and other armed Awami League members. At the time of his assassination, Mujibur was serving as the President of Bangladesh

Example 6: Ziaur Rahman was an army general who served as the 4th President of Bangladesh from 21 April 1977 until his assassination on 30 May 1981. In the early hours of the morning of 30 May, he was assassinated by a group of army officers at the Chittagong Circuit House. Also killed were six of his bodyguards and two aides.

#### i. Extrajudicial killings

An extrajudicial killing is the killing of a person by governmental authorities without the sanction of and judicial proceedings or legal process. Extra judicial punishments are mostly seen by humanity to be unethical, since they bypass the due process of the legal jurisdiction in which they occur. Extrajudicial killings often target leading political, trade union, dissident, religious, and social figures and may be carried out by the state government or other state authorities like the armed forces or police.

Extra judicial killing is one kind of crime. Any peaceful man does not expect extra judicial killing. It cataract to the judiciary and The National Human Rights Commission to make sure that human rights are fully imposed, not least with value to allegations of pain and extrajudicial killings by security forces. If there is no punishment for such crimes, there is no restriction emanating from the State and such violence becomes authorized, officially or unofficially. Clearly, it is important to ensure that the clash against crime and terrorism is conducted successfully, but that can only be ensured in a constant way by respecting the rule of law. In our country extra judicial killing is occurred by RAB. That is legalized by our government. But this is not right because every person have some fundamental rights. One of fundamental right is to get proper judgment by law.

The rights to life and personal liberty are under threat in Bangladesh, despite the fact that they are guaranteed by the Constitution of the People's Republic of Bangladesh. Article 32 says: "no person shall be deprived of life or personal liberty, save in accordance with law". According to the International Covenant on Civil and Political Rights adopted in 1966 and ratified by Bangladesh in 2000, "every human being has the inherent right to life". The Covenant also says: 'this right shall be protected by law. No one shall be arbitrarily deprived of his life.' Different terminologies have been used by the law enforcement agencies to distract from extrajudicial killings; such as, deaths during 'cross-fire', 'encounter', 'gunfight' etc.

After fact finding, Odhikar, in many cases, could not find any trace of counter shootings and it seems that a majority of the victims were shot dead by law enforcement agencies. Extrajudicial killings continue despite repeated assurance to stop this and the declaration of 'zero' tolerance on extrajudicial killings by the government during the Universal Periodic Review at the UN Human Rights Council.

**Table 3.** Total Extra-judicial killings from 2001- March 2016.

Years	RAB	Police	RAB-Police	Joint Force	Ansar	Army	BGB (Former BOR)	Police-BGB (former BDR)
2016	10	16	0	0	0	0	2	
2015	53	125		1			6	
2014	29	119		11	1	2	5	
2013	38	175	1	8	0	0	11	32

Years	RAB	Police	RAB-Police	Joint Force	Ansar	Army	BGB (Former BOR)	Police-BGB (former BDR)
2012	40	18	2		3		2	
2011	43	31	4					
2010	68	43	9				1	
2009	41	75	25		2	3	5	
2008	68	59	15	1			2	
2007	94	64	3	7		7	1	
2006	192	144	1				6	
2005	111	258			1			
2004	77	133		15	1	1	6	3
2003	0	57		6	2	2	4	
2002	0	33			4	39	4	
2001	0	33		1				9
Total	864	1383	60	50	14	54	54	44

Table 3. Continued.

Years	RAB-Coast Guard	Coast Guard	OB Police	Police-Coast Guard	Jail authorities / Police	RAB, BGB	Grand Total
2016	4						32
2015							185
2014		3					172
2013						64	329
2012	4				1		70
2011	4				2		84
2010	3						127
2009		1			1		154
2008		4					149
2007		1			1		184
2006		7	4				355
2005			5	15			396
2004							240
2003			3		6		81
2002			1		2		83
2001			1				44
Total	15	16	14	15	13	64	2685

#### j. Political Corruption

Political parties, Police and Judiciary of Bangladesh are the most corrupt institutions compared with other government and non-government institution in our country. The report published in July 2013 by Transparency International Bangladesh (TIB) which reveals the 93 per cent people surveyed in their study believed political parties and police are the most corrupt institutions in Bangladesh followed by the judiciary, parliament and government administration. According to the report, 72 per cent of respondents label police as key bribe takers while 63% blamed the judiciary followed by land service (44%), license and permit service (33 per cent), health and medical service (16 per cent), education sector (12 per cent), utilities (10 per cent), and tax (8 per cent). (TIB-2013) The TIB carried out the study for its Global Corruption Barometer 2012, the biggest worldwide survey on people's perception and experience about corruption, which said 60 per cent of Bangladeshi respondents believed the level of corruption had increased in the country in the past two years. The study said, compared to 50 per cent of Bangladeshis who had said government measures were effective in controlling corruption in the previous such study in 2010, the percentage had now declined to 26. Ruling Awami League of Prime Minister Sheikh Hasina called the report an attempt at "character assassination of politicians intended to "depoliticize" society during a critical period.

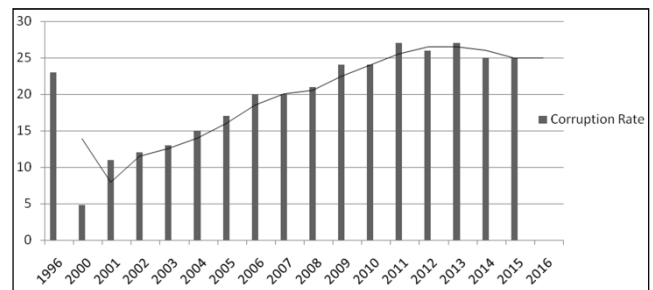


Figure 2. Political Corruption (1996-2016).

## 4. Underlying Causes of Political Violence

Some studies (Islam 2006) hold factors such as elections, tenders, revenge and intraparty factionalism as some of the causes of political violence in Bangladesh. However, these can be regarded only as the immediate causes of violence. The underlying causes are more deep-rooted and create a political culture of intolerance, antagonism, arrogance and revenge. A number of such fundamental underlying causes can be classified into two broad categories: political-ideological issues and political-institutional issues. Although these are not unique to Bangladesh, yet differences of opinion originating from these factors most of the times perpetuate violent street confrontations.



#### 4.1. Political-Ideological Issues

Political parties in Bangladesh have remained bitterly opposed to each other on a number of fundamental national ideological issues (Rasheduzzaman 1994). These ideological issues divide both the political intelligentsia as well as the political parties across the political spectrum from extreme left to extreme right. One of the most fundamental such issue is the *identity of the nation* itself (Anisuzzaman 2000). AL and the leftist parties strongly believe in Bengali nationalism that refers to the ethnic identity of the people. To them, the Bengali identity being the ethnic one must supersede all other identities such as geographical or religious identities. This implies *first Bengali, then the rest*.

BNP and other like-minded rightist parties such as JP, however, believe that the national identity must be based on geography first. This is because the Bangladeshi population, despite being Bengali in ethnicity, is geographically distinct and separate from the Bengali population living in the state of West Bengal in India. Secondly, though ethnically, people in both places are the same, Indian Bengalis are primarily Hindu and the Bangladeshis are primarily Muslim. Thirdly, their argument is that the 'idea of Bengali nationalism during this (liberation war) period was essentially confined to the territorial limit of what was earlier called East Bengal and never extended beyond its borders. This constituted the boundaries of their national identity' (Kabir 1990: 45). Therefore, Bangladeshi nationalism must be separated from the Hindu Bengalis of West Bengal by a geographic identity. Bangladeshi nationalism therefore has its unique characteristics in geographic and Muslim cultural factors, which implies *Bangladeshi first, then the rest* (Khan 1985). Though the concept of Bangladeshi nationalism owes a great deal to General Zia's strategy of political legitimacy, yet the merit of these arguments has apparently gained a solid ground ever since (Hossain 1988; Hossain and Khan 2006; Zafarullah 1996).

The Islamic political parties take a completely different stand in this regard. These parties such as JIB argue that the national identity must surpass artificial geographic and ethnic boundaries. To them the national identity must be based on the ideology of Islam. So, according to these parties, it is the universal Muslim identity that comes first, which is followed by regional and ethnic identities. This means *first Muslim, then the rest* (Kabir 1990).

#### 4.2. Secularism and Religion

A second important political issue that keeps the political parties deeply divided is the issue of *secularism* in the Constitution (Maniruzzaman 1990). AL and left wing parties are strong supporters of complete secularism in politics. These parties even argue for banning religious political parties in the country. This is partly because these parties intend to separate politics from religion, and partly because of their hatred of religious parties—Islamic parties to be precise since there are no other religious parties in Bangladesh—for their anti-liberation role in the 1971 liberation war. The first

political regime of AL during 1972–1975, heavily influenced by secularism, initially acted against Islamic political parties and the Islamic educational system and policies in the country. Though this policy was in response to the role that the Islamic parties had played during the liberation war, it created an extremely negative image about secularism that was later perceived to be equal to anti-Islam in Bangladesh.

However, the rightists or centre-right parties believe that complete secularism is not possible. These parties argue that in the context of Bangladeshi nationalism, secularism has to lean towards Bangladeshi Muslim cultural influences. Religious political parties, on the other hand, are strong opponents of secularism arguing that secularism is synonymous with irreligiousness. Due to their political ideology, the Islamic political parties argue instead for complete elimination of secularism and introduction of an Islamic political system.

##### a. National Political Institutions: the EC and CG

Party political differences over some key political institutions are also a cause of political violence. During the first two decades of liberation the country virtually remained under civilian authoritarianism, military dictatorship and one-party and personal rule (Baxter 1982; Ziring 1994). Domination of political power by one man or one party prevented the separation of some key national political institutions (Amin 1992). One such key institution that became a crucial center of political conflict during the parliamentary era is the Election Commission (EC).

All the ruling parties during 1991–2006, despite their repeated pre-election promises, failed to make the EC an independent institution by separating it from the Prime Minister's department. The Election Commission became the focus of differences among political parties during the 2001 elections. The opposition BNP created a lot of political noise by claiming that the ruling party-appointed election Commissioner M. A. Sayed was a partisan personality and declared that they would not take part in the general elections of 2001. The EC remained the center of political controversy during the 2001–2006 BNP regime, especially in 2005 and 2006. The opposition front led by AL refused to participate in elections under the election commissioner appointed by the outgoing BNP and demanded his removal. The BNP front opposed his removal claiming that the EC is a constitutional post and is appointed according to the Constitution. AL accused the EC of being a partisan individual, demanded a complete reform of the EC, and on 15 July 2005 presented a 15-point reform proposal. But the BNP government was unwilling to entertain the demand. The issue led to a series of street political confrontations through demonstration and strikes between the government and the opposition in 2006. AL became more violent on the issue after the BNP government handed over power to the Caretaker Government in October 2006. Countrywide strikes and street violence prevailed from 28 October 2006 to 9 January 2007 that claimed dozens of lives.

Party interactions surrounding the EC and CG during the past few years demonstrate that inter-party differences on

political issues lead to violence between opposition parties as well as between the opposition and the ruling parties. Furthermore, it also demonstrates that political parties manipulate issues so as to create stalemates at a higher level.

## 5. Theoretical Explanation

Political Violence is the most common form of political crime in our country. Macro theories explain how political, economic, and social processes cause political violence. Social conflict theory is a Marxist-based social theory which states that social systems reflect the vested interests of those who own and control resources. The people in power use the political and economic institutions to exploit groups with less power. This causes the rest of society to become alienated or psychologically separated from the people in power. Revolutions occur to break down the social and economic separation between the people in power and the exploited people and "to achieve equity and social unity". Micro theories discuss political violence processes that involve individuals and households, like who participate in violence and what motivates people to participate. Rational choice theory is a decision-making approach in which the decisions makers compare the expected utility of competing options and select the option that produces the most favorable outcome. Political violence occurs when the benefits in participating in political violence outweighs the costs.

Merton (1938, 1964, and 1966) provided one of the earliest explanations that, in part, touches on political crime. According to his anomic theory of deviance (that is, strain theory), individuals live in societies that have a considerable amount of "structural dis-functionalism." This, in turn, leads people to experience an ends/ means discrepancy. These processes combined together create stress. In order to minimize discomfort, individuals have five options, one of which is rebellion (nominally, a type of political crime). Merton's anomic theory of deviance, which partially explains political illegalities, is used by Kelly (1972) and Alexander (1992a, 1992b). Unfortunately, Merton's theory, regardless of who uses it, is too limited for a more encompassing understanding of political crime.

In one of the most famous articles in sociology, its first version written in the 1940s, Robert Merton begins by addressing biological explanations of deviance and concludes that biology cannot account for variations from one society to the next in the nature and extent of deviance. His primary interest is not so much why a particular individual deviates, but why the rates of deviance differ so dramatically in different societies and for different subgroups within a single society. Merton works within the overall functionalist perspective that we have already addressed, which puts a great deal of emphasis on the role of culture, particularly its unifying aspects, but now Merton adapts a concept he borrows from Durkheim to analyze situations in which culture creates deviance and disunity. In Durkheim's usage, anomie referred to a situation in which cultural norms break down because of rapid change. Anomic suicide, for example, can occur during a

major economic depression, when people aren't able to achieve the goals that they have learned to pursue, but it can also occur when the economy experiences a boom and suddenly the sky's the limit--people don't know how to limit their goals and be satisfied with their achievements. Merton changes the concept slightly, to refer to a situation in which there is an apparent lack of fit between the culture's norms about what constitutes success in life (goals) and the culture's norms about the appropriate ways to achieve those goals (means).

Similarly, Moran (1974) describes "sequential stages which in successive combination might account for the development of a political criminal". The first step involves what Moran calls "predisposing conditions or background factors, the conjunction of which forms a pool of potential political criminals. These conditions exist prior to an individual's decision to commit a political crime and by themselves do not account for his behavior". The aforementioned conditions include the concept of strain and "a political problem solving perspective." The latter consists of "situational contingencies which lead to the commission of political crimes by predisposed individuals". Moran advocates a five-stage "developmental model" consisting of the following steps: (a) strain; (b) "political problem solving perspective"; (c) a turning point event; (d) commitment to act; and (e) engaging in the political crime. Although he recognizes many of the limitations of his idea, the cases on which Moran builds his model may be too ideographic to legitimately support the kinds of generalizations he makes.

Turk (1982a) has offered an alternative perspective. His structural conflict theory posits that although power and inequality are important factors in explaining political crime, the cultural gap between offenders and authorities is the primary factor that leads to the commission of political crime. Turks theory is interesting, but it is limited in its explanatory power. Merton, Moran and Turks theories are useful in describing, and in some cases explaining, various types of political crime, but they are not very helpful in accounting for all types of this phenomenon. The dynamic nature of such activities needs to be more thoroughly explored, and furthermore, the macro- and micro-level processes in political crime should be linked.

Differential association theory purports that crime is learned behavior that one adopts through affiliating and interacting with others. Favorable attitudes, as well as logistical information about how to commit crimes, are learned from close friends or acquaintances. In addition, one is socialized into having favorable definitions or attitudes about crime. This later process is pertinent to understanding how individuals come to regard crime as a viable course of action. Sutherland's theory is as pertinent to political crime and criminals as it is to juvenile delinquency and the vagaries of white-collar crime. It follows that political criminals acquire their behaviors through interactive learning with others. Although there will always be "lone wolves," it stands to reason that political offenders develop a belief that their actions offer positive outcomes when the definitions favorable

to violation of the law exceed those definitions unfavorable to committing crimes. Whether considering oppositional terrorism by nationalist-separatists or human rights abuses by military officers, it is logical to assume that these behaviors are learned and conducted by individuals within various networks where a system of shared norms and values exists.

In general, structural theories posit that the causes of political crime can be found in the environment and/or the political, cultural, social, and economic structure of societies. Social-psychological theories specify and explain group dynamics, why individuals join organizations, and how participants (perpetrators, victims, and audiences) affect the commission of acts. Structural theories explain human behavior by focusing on the social structures within which individuals function and on the organizational dictates that affect varieties of behavior. Despite their diversity, these theories share a main concern in explaining societal organization and the ways that people are affected by institutions, culture, economies, and conflict. Radical conflict theory traces its origins to the work to Karl Marx (1818-83). He (along with Friedrich Engels) suggested that conflict in society is the result of a scarcity of resources (that is, property, wealth, power, and jobs). This creates inequalities among individuals and constituencies, which in turn lead to a struggle between those who possess these resources and those who do not (Marx and Engels, 1848/1948). During the 1960s, a number of theorists applied these theories to crime. These neo-Marxist or "radical" conflict theorists suggested that class struggle affects crime in at least three ways.

## 6. Conclusion

Political Crime in Bangladesh has recently been a frequent hazard for the political stability. It destabilizes the growth of democracy and political culture when the chief and crucial part of government body patronizes the miscreants for the narrow party interest. To halt the growth of when a party becomes intolerant toward other party those always worsen the situation of political violence in Bangladesh. But violence get promoted when Awami league and its alliance becomes intolerant to Jamaat Islami through blame gaming that also widens gap between Awami league and BNP increasing the rate of political violence. To ensure a satisfactory growth in almost all sectors of development importantly for economic development political stability is very important for a country. Besides political intolerance and prolonged military rule, the rise of Islamic extremism is a third factor that has contributed to the growth of violence in Bangladesh in recent years. To change the situation of Bangladesh politics it is necessary to change the thinking and attitude of the political parties.

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