
Preventing and Mitigating Electoral Violence in India: A Special Reference to West Bengal Panchayat Election 2023

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ARTICLE DETAILS

Research Paper

Article History

Received : September 05, 2023

Accepted : September 21, 2023

Keywords :

Democracy, India,
Panchayat election,
Violence, West Bengal

ABSTRACT

Electoral violence constitutes the primary manifestation of political violence. The primary objective of electoral violence is to acquire political authority or retain it. This paper examines the causes and upshots of violence in elections in India with a particular focus on the 2023 West Bengal panchayat election. It looks at the constitutional and legal mechanisms in India to deal with electoral violence. This paper also highlights some global best practices towards free and fair elections and outlines what India should strive to prevent and mitigate electoral violence.

Introduction

The establishment of a free and fair election is an essential requirement for the sustenance of a thriving democratic system. However, it is evident that in well-established democratic systems, there exists a correlation between elections and violence, hence posing a significant risk to the legitimacy and integrity of the electoral process. (Markony and Zaman, 2020). Electoral violence typically involves fatalities on the day of election and property destruction before, during and after the election (Akwei,

2018). Electoral violence, as defined by Claes and Borzyskowski (2018), include various acts of intimidation, physical aggression, and interference with electoral proceedings or materials, with the aim of impeding the electoral process or influencing the election's outcome. (Claes and Borzyskowski, 2018).

Electoral violence constitutes the primary manifestation of political violence. The primary objective of electoral violence is to acquire political authority or sustain one's hold on power. The primary objective of engaging in campaign violence is to exert influence on the dynamics of electoral competition, with a specific focus on diminishing the level of voter participation among political adversaries. (Bratton, 2008; Vicente and Collier, 2012; Daxecker, 2020). According to Muyomba-Tamale (2015), various motivations can be identified as contributing factors to the occurrence of electoral violence. This phenomenon can be attributed, in part, to the drive of political parties and politicians to retain power or secure victory in elections by any means necessary. (Muyomba-Tamale, 2015). The phenomenon of election violence is commonly perceived as a strategic occurrence, stemming from the electoral motivations faced by political elites. (Hoglund, 2009; Wilkinson, 2004). There exist two distinct kind of electoral violence, namely strategic and incidental in nature. Strategic violence refers to a deliberate and organised form of violence orchestrated by political elites and politicians. On the other hand, accidental violence is violence that occurs as a result of frustration caused by inter- and intra-party tensions and sudden anger among party workers and supporters. In India, an election at any level takes the form of a festival. And it is more prominent in local body elections particularly election to Panchayati Raj Institutions (PRIs) in the rural areas. The Election Commission serves as the custodian of electoral processes throughout the nation. During each electoral process, a model code of conduct is implemented by the relevant authorities to ensure that political parties and candidates adhere to a set of guidelines aimed at promoting a democratic and equitable election. But it is observed that the implementation of such code is not always effective in preventing poll violence. In India, conducting elections to the panchayats (local governments at the village level) is the task of the State Election Commission, an autonomous and statutory body. The state of West Bengal is the pioneer state in the country to hold uninterrupted panchayat elections since 1978 and set an example of good governance in the countryside in terms of people's participation in decision-making process and local development, but the last few elections scripted an avoidable history of vote terror. In the 2023 panchayat elections, violence erupted across rural Bengal with bloodshed, killings and a lot of injuries to candidates, party workers, security personnel, vote-workers and voter citizens which is indeed an increasing threat to the world's largest

constitutional democracy. It is important to bear in mind that the primary objective of rural electoral campaigns was to establish a "people's panchayat". For this very objective, the 10th three-tier panchayat election was held on 8th July across 20 districts and also in two-tier in Darjeeling and Kalimpong districts in a single phase. In the state, there are 3354 gram panchayats (lowest tier of panchayat at village level), 341 panchayat samitis (intermediary of panchayat at block level) and 20 zilla parishads (highest tier of panchayat at district level). A total of 73887 seats have gone to polls this year which saw unprecedented violence before, during and after the poll in the name of forming people's panchayat.

Against this backdrop, this theoretical paper attempts to study electoral violence in India with special reference to panchayat (rural local-government) elections 2023 in the state of West Bengal. It explores the causes and consequences of electoral violence. It also looks at the constitutional and legal mechanisms in India to deal with violence in elections. Further, it sheds light on the global best practices to prevent and mitigate electoral violence. Last but not least, the paper directs what India should strive to prevent and mitigate electoral violence.

Elections and Violence in India

Election violence in India can be categorised into high-intensity violence and low-intensity violence. The inclusion of low-intensity violence has become an inherent component of India's electoral procedure, spanning from the submission of nominations to the initiation of campaigning, the tabulation of votes, and the declaration of outcomes. This type of violence may involve, but is not limited to, hate speeches, intimidation, looting, and the raising of communal tensions. High-intensity violence, on the other hand, involves the use of violence to commit acts of murder, mutilation, bombing, abduction, and arson of opposition supporters' homes. In India, the major cause for the high levels of political violence is the increasing "criminalization of politics" (ACLEED, 2019). In India, instances of frequent conflicts between supporters or members of political parties are observed in states such as Bihar, Gujarat, Uttar Pradesh, and West Bengal. Instances of communal violence between Hindus and Muslims in India are frequently observed, particularly in the states of Uttar Pradesh and Gujarat. The occurrence of these riots is frequently impacted by election dynamics, leading to their interpretation as strategic rather than spontaneous in nature. (Brass, 1997; Berenschot, 2011; Daxecker, 2020). Abdul Alim (2016) observed electoral violence may erupt on different grounds. First, holding of partisan election. For example, he found "In many upazilas (sub-units of the district) in Uttar Pradesh, there were two to three candidates for a chairman post from a single political party, one of them was officially nominated by the party while two others were known as 'rebel' candidates supported by a member of parliament and/or local

party leaders” (Alim, 2016). Second, the use of illegal money. However, politics in today’s materialistic world is a lucrative business for some people. And the struggle for power/office leads to growing conflicts between parties, candidates and supporters.

It is seen elections in local bodies like panchayats witnessed increasing violence in recent times in the country, which is an attempt to form people’s immediate government in democracy in an undemocratic manner. However, now let me shed lights on the development of political panchayats in India. Although the panchayats have existed in India since the Vedic age, it constitutionalised on 24th April 1993 through the 73rd Constitutional Amendment Act. Earlier it had no constitutionally political and developmental roles. But it was Ashok Mehta Committee (1977) had a landmark suggestion of the official entrance of political parties in panchayat elections, which we could arguably say made a way to violence in rural local politics in the country. The 73rd Constitutional Amendment included this recommendation and further provides that panchayat elections will be conducted under the authority of an independent State Election Commission (SEC) and each panchayat is to be elected for a five-year term. Since, then across states in India, panchayat elections are being held to govern rural affairs. Some people may argue about the requirement of election to local bodies if such elections often become violent. But it is essential because competitive party politics leads to effective delivery of services.

Violence in Panchayat Elections: The West Bengal Experience

The state of West Bengal is widely recognised as being among the most politically mobilised and tumultuous states within the context of Indian democracy. According to Kohli (1997), there was a notable surge in instances of political violence and riots during the latter part of the 1960s and the early years of the 1970s. Kohli (1997) asserts that a return to a conventional political process was observed solely in 1977, with the Communist Party of India (Marxist) administration afterwards experiencing a decrease in the incidence of political violence. In the political history of West Bengal, the period 1967-1977 is considered the “decade of chaos” and was also characterised by a “severe governability crisis”. At this time, both the cities and the countryside of West Bengal were engulfed in political violence. The Left Front (LF), under the leadership of CPI (M), came to power in the state on 21st June 1977, displacing Indian National Congress (INC). Between these two regimes, there was a President's rule in the state from 30th April 1977 to 20th June 1977. However, in West Bengal under CPI (M), political violence along caste, class, or religious lines has been minimal (ibid.). In contrast to most other states in India, the association between caste and religious identities and political sentiments in West Bengal exhibits a much less correlation. (Mitra and Bhattacharyya, 2018; Nath, 2020). There was no such

mobilisation on the grounds of identity until recently; instead politics revolved around party line, making a way for the construction of “party-society¹” (Bhattacharyya, 2009), (Bhattacharyya, 2010) (Bhattacharyya, 2016) “party machinery” (Dasgupta, 2009) that operates or functions through Panchayati Raj Institutions (PRIs) helped LF to penetrate into remote villages and enjoy extraordinary stability (Chatterjee, 2009), until the regime was replaced by Trinamool Congress on 20 May in 2011. Local-level election is the highway to power for any political party in a parliamentary democracy like India. In West Bengal politics, there is a popular Bengali maxim - “*panchayat jar durga tar*” (panchayats win fort or power). Former Finance Minister of LF Government, Ashok Mitra once remarked - "if the panchayats fail, the CPI (M) experiment fails". Certainly, in India, panchayat is tremendously significant to strengthen party base and increase seats in general and state elections.

As long as “party-society” was rigid, the number of violent incidents was the least in rural West Bengal politics. According to Bhattacharyya (2009), the development of West Bengal from a highly unstable state to a manageable entity can be attributed to the presence of a party-society that first offered a reliable commitment to democratic principles. The phenomenon of party-society, which emerged by supplanting traditional patron-client relationships, was particularly prominent during the Congress administration, characterised by a relatively lower level of competition. During this time, the landed gentry, professionals, and traders played the dominant role in society as well as in local politics. To counter this structural system, a large number of poor marginal people (proletariat) who considered landlords as “class enemies” led by a revolutionary party, namely CPI (M) that is to Gramsci “the modern prince” and Lenin’s “vanguard party” to have food, land, security and social justice.

Historically, West Bengal is low on crime but high on political violence. In this case, political power is the sole motive for violence. Why is an election at any level essential in democracy today? It is indisputably for better delivery of services. Overtly political competition leads to effective service delivery, and at the same time, it hatches violent events. All we have experienced in West Bengal, the ‘gun culture’ has been prominent since Indian National Congress started to lose its dominance. Today, political parties and their cadres, irrespective of their ideologies, believe in Mao Ze Dong line that

¹ The concept of party-society is credited to Dwaipayan Bhattacharyya. According to him, the party-society operates mainly through panchayat institutions in rural West Bengal. The CPI (M) was the principal beneficiary of party-society in the initial years of the Left Front. Party-society is the specific form of political society conceptualised by Partha Chatterjee (1997, 2004).

accepts 'political power comes out of the barrel of the gun'. When we discuss political or electoral violence in West Bengal, we must be heard the word *harmad*. The word *harmad* is meant armed Communist Party of India (Marxist) cadres who were instrumental for the Left Front regime to stay in power for more than three decades now most probably turned into the *harmad* for the incumbent party in the state. The goons have no committed party, they always love to be with the incumbent for their benefits (anti-social/criminal activities and to escape police surveillance), and the party use them for electoral gains.

It is also observed in West Bengal politics from the 1990s onwards what Roy and Banerjee rightly observe that ‘Party conflict for narrow electoral gains has taken the place of class conflict, disturbing social peace...’ (Roy & Banerjee, 2012). In the 2003 panchayat election, 80 people lost their lives. Of this, 45 died in Murshidabad district, where the opposition INC had a stronghold. The CPI (M) suffered the maximum number of casualties (31), INC (19), BJP (8) and TMC (8). It is evidenced that violence and killings will be more among the ruling party and the main opposition in a constituency area. And it may vary from constituency to constituency. In Domkal of Murshidabad district, more than 90 people were injured. Before Trinamool Congress came to power in the state, their slogan was *bodla noi bodol chai* (not revenge, but change). This not even prevent political violence in the state. The most disturbed districts where death was caused were East Midnapore, Nadia, North 24 Parganas, South 24 Parganas and Murshidabad. In this election, even personnel of Central Reserve Police Force, which provides security to the voters, candidates and polling agents, were killed in Nandigram, voters were injured in Cooch Behar, a TMC worker and two CPI (M) supporters were killed in South 24 Parganas. Even in the 2019 LS election, 11 men and a two-year-old child died in the violence. The BJP claimed more than 130 party workers were killed after that election and in the 2021 assembly election (The Hindustan Times, 2021).

In the following tables (1-4), electoral outcomes across elections (panchayat, Lok Sabha and assembly) held in the state during 2018-21 are being presented in order to get some insights into the competitive nature of state politics and its likely implications on violence in rural West Bengal politics.

Table 1: West Bengal Panchayat Election Results 2018

Panchayati Raj Institutions (PRIs)	Seats Won
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	AITC	BJP	LF	INC	Others	Total
Gram Panchayats (GP)	38118	5779	1713	1066	1960	48636
Panchayat Samitis (PS)	8062	769	129	133	121	9214
Zilla Parishads (ZP)	793	22	1	6	2	824

Source: West Bengal State Election Commission

If we see party-wise vote share (Table 1), AITC received 96.2% votes in ZP, 87.5% in PS, and 78.3% in GP. The emerging BJP received 2.7% in ZP, 8.3% in PS and 11.9% in GP level. The vote share of LF in GP, PS and ZP is 3.5%, 1.4% and below 1%, respectively. And the INC received 2% in GP, 1.5% in PS and below 1% in the ZP level. In the 2019 Lok Sabha election, the difference in vote share between the ruling party (AITC) and BJP was a mere 3.05% (Table 2). But in the 2021 assembly election, this difference stands at 10.05% (Table 3).

Table 2: Lok Sabha (National) Election Results 2019

Political Parties	Seats Won	Vote Share
AITC	22	43.69%
BJP	18	40.64%
INC	2	5.67%
CPI (M)	0	6.34%
Others	0	3.66%
Total Seats	42	100%

Source: Election Commission of India

Table 3: West Bengal Assembly Election Results 2021

Political Parties	Seats Won	Vote Share
AITC	215	48.02%
BJP	77	37.97%
CPI (M)	0	4.71%
INC	0	3.03%
ISF	1	1.36%
Others	1	4.91%
Total Seats	294	100%

Source: Election Commission of India

Table 4: Vote Share of Major Political Parties Across Different Elections (2018-2021)

Political Parties/Alliance	Gram Panchayat (2018)	Lok Sabha (2019)	Assembly (2021)
AITC	78.4%	43.69%	48.02%
BJP	11.9%	40.64%	37.97%
INC	2%	5.67%	3.03%
CPI (M)/LF	3.5%	6.34%	4.71%

Source: Compiled by the author

Table 4 shows the vote share of different political parties in the successive elections held in West Bengal during 2018-21. Across these elections, BJP, the emerging political force in the state, placed second position surpassing CPI (M) and INC. It also shows a sharp contrast in vote share between the panchayat election and the other two elections (Lok Sabha and assembly). It happens due to several factors, viz. electoral issues in local elections; and assembly and general elections are different, level of violence, voter security etc. For example, AITC's vote share of 78.4% in the 2018 panchayat election decreased by 34.71% in the 2019 LS election (43.69%) and again increased by 4.33%, reaching 48.02% in the 2021 assembly election.

Conversely, the main opposition BJP's vote share from 11.9% in the 2018 panchayat election increased by 28.74% in the 2019 LS election (40.64%). And in the next assembly election, its vote share was 37.97% which decreased by 2.67%. While the vote share of INC across all three elections ranges between 2% to 5.67%. And CPI (M)/LF's vote share ranges from 3.5% to 6.34%. This signifies that AITC and BJP are the main rival parties at the moment in the politics of West Bengal. Another interesting turnaround in West Bengal politics has been seen just a couple of months before the 2023 panchayat election as an INC candidate backed by CPI (M) won a by-election seat (assembly election) from Sagardighi Constituency in Murshidabad district by a margin of 22,986 votes, which was previously under AITC possession. However, within a month the winning candidate defected to Trinamool Congress.

Moreover, before 2023 panchayat elections, the opposition parties alone and also in alliance won some cooperative elections amid a grand corruption case in the education sector, students' movement for justice in employment in educational institutes, cut money protests and lack of service delivery in the countryside and a massive Dearness Allowance (DA) movement along with fair job opportunities in the

city of joy (Kolkata) (some started to call the city of protest) led by *Sangrami Joutha Mancha* (a conglomeration of professional organisations). These events and electoral success have rejuvenated opposition political parties particularly INC and CPI (M) before the panchayat election, indisputably made politics more competitive.

We observe in recent West Bengal politics that leaders and candidates of the political parties attack each other at public gatherings and even on social media by uttering *chor* (thief), *goonda* (hooligan), *dakat* (robber), mafia etc., which the electoral code of conduct strictly prohibits. It creates a hateful political (electoral) discourse in contemporary Indian politics, particularly in West Bengal. Why do such violence, hatred and revengeful incidents occur in rural politics? I agree with what Bhattacharyya (2009) claims that the field of politics has experienced a decline in its ethical significance and transformative objectives. Since the last few elections in the state, some terms which have been very popular among ruling party leaders, workers and supporters enough to produce fear and tension among the opposition workers, supporters and even peace-seeking voters are *charam charam*, *gur batasa*, *nakuldana* and *khela hobe*. In true sense, these words/terms appear unhealthy for electoral democracy and are indirectly against the model code of conduct. Very recently, an AITC leader from North Bengal, in a public event, was seen provoking his workers and supporters to "wrench off the beard and moustache" of a BJP MP after the 2024 Lok Sabha elections who is also a Union Minister. Nevertheless, there will always be a moment when violence will occur more and more. At that moment, the ruling party starts losing its support base and uses all its apparatus against the opposition. Furthermore, a counter-violence makes the situation worse.

If we inquire into the casualties in the last five consecutive panchayat elections in West Bengal, it will be found 80 people died in 2003, 45 in 2008, 31 in 2013, 75 in 2018 (Mitra, 2023). And this year (2023) the toll is already 54 and it is increasing gradually. In a democracy, should such an election take place? Given the intensive violence across the state, the Calcutta High Court had passed a direction for central armed forces to remain in the state for a period of ten days after the declaration of results. Even the Governor of the state had opened a 'Peace Room' at Raj Bhawan amid pre-poll violence. The Governor said the "peace room was necessary as certain misguided elements had opened up 'war rooms' in different parts of the state." (The Hindu, 2023). He further said "People of West Bengal are demanding that there should be free and fair elections. If there is any threat to them, I will intervene...." (ibid.). Within a day of the opening 'peace (control) room', 300 complaints have been received from different parts of the state. So far 7500 complaints have been received regarding the election. Even the Supreme

Court’s observation in a plea against the Calcutta High Court order on central forces deployment was “Holding polls can’t be licence for violence” (The Indian Express, 2023). However, the result was declared on 12th July, incumbent party Trinamool Congress having an overwhelming victory. It bags all ZP (20), 317 PS and 2644 GP (see Table 5 for party-wise results). It is important to note that the declaration of results is subject to a final order of the Calcutta High Court on petitions filed by opposition political parties regarding allegations of electoral malpractices on the polling day.

Table: 5

West Bengal Panchayat Election 2023 Results			
Panchayati Raj Institutions (PRIs)	ZP	PS	GP
Total	20	341	3317
TMC	20	317	2644
BJP	0	6	220
Left Front	0	2	38
Congress	0	0	4
Others	0	9	214
Undecided	0	7	197

Source: West Bengal State Election Commission

Preventing and Mitigating Violence: Constitutional and Legal Mechanisms in India

Electoral violence can have a number of negative effects not only on the people who vote, but also on the political system as a whole. Because of the legal impunity enjoyed by supporters of the ruling party, culprits often go unpunished and oppressive governments remain in power (American Friends Service Committee , 2018). But to do this voters need a democratic environment to exercise their political rights. In this regard, effective implementation of constitutional and legal provisions are keys to eliminate all sorts of undemocratic exercises. To prevent and mitigate electoral violence different provisions are kept in Indian Constitution. India is blessed with a Constitution that guarantees a democratic republic, guarantees justice, political freedom of thought, speech, and religion, and promotes brotherhood. The Constitution of India empowers the judiciary to act as the guardian of the law. We have a robust structure of the judicial system in the country.

Thus, all the constitutional and legal arrangements are made to ensure and encourage good electoral practices, but still, electoral (political) violence remains an indispensable part of the Indian electoral system. One of the underlying reasons is the conviction rate and penalty against those candidates and

parties who violate the code of conduct are least in the country as a whole. The conviction rate in criminal cases against India's legislators is just 6% (Business Standard, 2018). It was reported in 18 out of 29 states and 2 out of 7 union territories, no convictions have been handed down in criminal cases against members of parliament and members of the legislative assembly. These cases involve things like murder, attempt to murder, abduction, hate speech, and criminal intimidation (B Q Prime, 2018). It was also reported out of 3,884 criminal cases, guilty judgments were pronounced in 38 cases and 56 were acquitted (ibid.).

Why does the criminalisation of politics upward in India? According to a study conducted by ADR on the affidavits submitted by 542 out of 543 winners of the 2014 Lok Sabha election, candidates with a criminal record were nearly twice as likely to win as candidates with no criminal record. A candidate with a criminal background had a 13 percent chance of winning, while a candidate without a criminal record had a 5 percent chance of winning (The Hindustan Times, 2021). A candidate with a declared criminal case against them had an average 15.5 percent chance of winning in 2019, compared to a 4.7 percent chance for a candidate without such a case (ibid.).

Table 6: Percentage of Sitting MPs with Declared Criminal Cases in Most Politically Significant States in India: 2019

State	Total MPs	MPs with Declared Criminal Cases	Percentage
Bihar	40	28	70%
Maharashtra	48	31	65%
Andhra Pradesh*	42	20	48%
Kerala	20	8	40%
Gujarat	26	9	35%
Karnataka	28	9	32%
Uttar Pradesh	80	25	31%
Madhya Pradesh	29	8	28%
West Bengal	42	8	19%
Tamil Nadu	39	7	18%
Odisha	21	3	14%
Rajasthan	25	2	8%

Source: ADR Handbook 2019

*It refers to undivided Andhra Pradesh

Table 7: Percentage of Sitting MLAs with Declared Criminal Cases in Most Politically Significant States in India: 2019

State	Total MLAs	MLAs with Declared Criminal Cases	Percentage
Bihar	243	140	58%
Maharashtra	282	160	57%
Andhra Pradesh*	174	83	48%
Kerala	139	86	62%
Gujarat	182	47	26%
Karnataka	220	75	34%
Uttar Pradesh	403	144	36%
Madhya Pradesh	230	94	41%
West Bengal	293	108	37%
Tamil Nadu	225	75	33%
Odisha	147	51	35%
Rajasthan	200	46	23%

Source: ADR Handbook 2019

*It refers to undivided Andhra Pradesh

In Tables 6 and 7, twelve states are taken from ADR Handbook, 2019 keeping in mind their electoral influence in Indian politics. No states are taken below 20 parliamentary seats. These tables show in India legislators have highly criminal backgrounds. Further, such cases are increasing day by day. To illustrate, I take ADR 2023 data to explore Bihar and West Bengal’s trends among all states. This shows under the MLAs category out of 318 members of the Bihar Legislature 161 have criminal records (total of 602 cases), and in West Bengal 141 out of 294 (total of 474 cases) (The Association for Democratic Reforms, 2023). Though there may have been some alleged cases, the record is not a good sign for New India. Why I'm focusing on criminal records of members of parliament and members of the legislative assembly is because electoral violence in local elections can't be understood without knowing the criminal backgrounds of national and state legislators. Victories in panchayats in their respective constituencies give them higher ratings. They're important players and part of the whole panchayat electoral strategy and mission. They campaign for their candidate and party in their area and beyond. If they do well in the constituency from where they're elected as a legislator, they get high-level recognition and usually get a ticket for more time. They train local party leaders how to win elections and instigate workers and supporters especially youth to win seats at any cost. It leads to hassling, bloodshed, killings, rigging, vote tampering and many more. And when there is resistance from the

opposition, the intensity of violence escalates. For example, in Murshidabad district, the epicentre of violence in the 2023 panchayat election six people have been killed and more than 200 people injured. The district was the toughest for the incumbent party because Congress, BJP and CPI (M) had a strong presence and it is clearly seen when a huge number of candidates filed nominations from opposition political parties. Out of 5593 GP seats in the district number of candidates contested were 5566 from incumbent TMC, 4047 of INC, 2915 of CPI (M), 1593 from BJP and 2332 independent candidates which looks very competitive. The presence of a large number of independent candidates indicates faction within the incumbent party.

Violence in grassroots-level elections can't be separated from a deliberate attempt to stimulate local party leaders and workers by the state-level legislators because in normal times local party leaders and workers are known to each other, either kin or neighbours. They are known to each other as a gram panchayat area consisting of a number of constituencies (booths) and each constituency having registered voters ranges approximately between 600-1500. But while election comes they become rivals and enemies. In such a situation, people forget what is enshrined in Fundamental Duties 5, 8 and 9. These urges promote harmony and the spirit of common brotherhood amongst all the people; develop the scientific temper, humanism, and the spirit of inquiry and reform; and safeguard public property and abjure violence respectively. Why I am referring here fundamental duties of the voter citizens because the law is a set of rules that are created and enforceable by government authorities to regulate the behaviour of its members. But the law can only regulate voter citizens' external behaviour. Law alone can't make good citizens, rather they must have moral values, education and remorse to be away from any sort of violent activities.

According to Article 324 of the Indian Constitution, the Election Commission of India is granted the authority to conduct general elections for the parliament, state legislatures, as well as elections for the president and vice-president. Following the implementation of the 73rd and 74th Constitutional Amendments in 1993, the State Election Commission has been granted authority, as per Article 243K, to oversee and administer elections for local governing entities, namely panchayats and municipalities. During the process of conducting a local government election, the Election Commission (EC) establishes a standardised code of conduct for all participating parties and candidates. This code emphasises that political parties and candidates should abstain from engaging in activities that generate or escalate tension, animosity, or divisions among different castes, communities, religions, or languages. Furthermore, it discourages the criticism of rival candidates and parties based on personal matters or

unverified allegations, instead emphasising that criticism should be limited to their policies and programmes. The code also prohibits the exploitation of caste, communal, or religious sentiments to secure votes, as well as the act of tearing down posters belonging to rival candidates or parties (West Bengal State Election Commission). Furthermore, it is expected that throughout the day of polling, all political parties and candidates will collaborate with the election officer in order to facilitate a tranquil and organised voting process. This collaboration aims to guarantee that voters are able to freely exercise their right to vote without experiencing any form of disturbance or hindrance (ibid.). Notwithstanding such procedures, the State Election Commission occasionally falls short in safeguarding the standard code of behaviour.

Conclusion

In pure authoritarian political system or in the countries where civic political culture exists, violence in elections are least or not intensive. But in democracies of the third world like India, there are several causes of electoral violence from high to low, but the most significant one is financial incentive and poverty that leads to competition for power and subsequently erupts violence. In the third world countries, to prevent and mitigate electoral violence, willingness of the incumbent regime and the role of election commission is critical. Violence in elections occur because of poor maintenance of law and order and the institutions responsible for conducting free and fair elections are not either strong, neutral or transparent. Free and fair elections are the foundation of any democracy. They should be conducted in a peaceful environment where all candidates, parties, and people have the right to campaign freely and have equal access to vote. If we see the violence in West Bengal in 2023 panchayat poll is the result of an incompetent and biased election commission. At first, the commission decided to conduct election without deploying sufficient and central forces which the opposition political parties objected and filed petitions asking for central forces. The High Court of Calcutta ordered the commission to send out requests for central forces. What's surprising is that the commission only asked 22 companies of Central Armed Police Forces (CAPF) to provide security at over 62,000 polling stations in the state. The authority didn't learn any lessons from the 2018 election when no central force was deployed and the election was marked by massive violence, resulting in the death of 75 people. In 2013, SEC had deployed 825 companies of central forces was instrumental to restrict death tolls to 31. However, opposition political parties challenged the commission's decision and on the intervention of the court SEC sought 822 CAPF companies. However, only 649 companies could arrive on the polling day. Although a few more companies reached after the poll. It is alleged central forces were not used

properly and even overall security arrangements were poor leading to extreme violence that further opened up the scope for booth capturing, rigging, and snatching of ballot boxes. As a result, the election commission had to arrange a re-poll in more than 600 booths. A lot of deaths and injuries would have been avoided had this election been held in phases under proper security arrangements. There is a greater relationship between electoral violence and voters' participation in elections. Electoral violence negatively affects such participation. The Election Commission of India (ECI) launched the SVEEP (Systematic Voters' Education and Election Participation) flagship programme for voters' education and awareness. The SVEEP has two key objectives to be achieved by 2022-25 i.e. increasing the voter turnout to 75% in Lok Sabha elections 2024, and improving the quality of voters' participation in terms of an informed and ethical vote through continuous election and democratic education. But in the midst of such violence, these goals cannot be achieved.

References

- ACLEDD. (2019, April 12). *Securing Democracy: Electoral Violence in India*. Retrieved from <https://acleddata.com/2019/04/12/securing-democracy-electoral-violence-in-india/>
- Akwei, C. (2018). Mitigating election violence and intimidation: A political stakeholder engagement approach . *Politics and Policy* , 46(3), 472-504. doi:<https://doi.org/10.1111/polp.12256>.
- Alim, A. (2016, March 27). Violence in UP Elections: Causes and Solutions. *The Daily Star*. Retrieved from <https://www.thedailystar.net/op-ed/causes-and-solutions-1199983>
- American Friends Service Committee . (2018). Shared Security, Shared Elections: Best practices for the prevention of electoral violence <https://afsc.org/sites/default/files/documents/Electoral-violence-report-web-version.pdf>.
- B Q Prime . (2018 , September 19). *Conviction Rate In Criminal Cases Against India's MPs, MLAs At 6%* <https://www.bqprime.com/law-and-policy/conviction-rate-in-criminal-cases-against-indias-mps-mlas-at-6>.
- Banerjee, D. R. (2012). *Contemporary Politics in West Bengal: Glimpses from the Left Front regime* . Kolkata : Purbalok Publication .
- Berenschot, W. (2011). *Riot Politics: Hindu-Muslim Violence and the Indian State* . New York : Hurst/Columbia University Press.

- Bhattacharyya, D. (2009). Of Control and Factions: The Changing 'Party-Society' in Rural West Bengal. *Economic & Political Weekly*, XLIV(9), 59-69.
- Bhattacharyya, D. (2010). Left in the Lurch: The Demise of the World's Longest Elected Regime? *Economic & Political Weekly*, XLV(3), 51-59.
- Bhattacharyya, D. (2016). *Government as Practice: Democratic Left in a Transforming India*. Delhi : Cambridge University Press .
- Bhattacharyya, S. M. (2018). *Politics and Governance in Indian States: Bihar, West Bengal and Tripura* . Singapore : World Scientific Publishing .
- Borzyskowski, J. C. (2018). *What Works in Preventing Election Violence: Evidence from Liberia and Kenya* . Washington DC : United States Institute of Peace.
- Brass, P. R. (1997). *Theft of an Idol: Text and Context in the Representation of Collective Violence* . Princeton, NJ : Princeton University Press .
- Bratton, M. (2008). Vote buying and violence in Nigerian election campaigns. *Electoral Studies*, 27(4), 621-632 .
- Business Standard . (2018 , September 23). *Conviction rate in criminal cases against Indian politicians is just 6%* https://www.business-standard.com/article/politics/conviction-rate-in-criminal-cases-against-indian-politicians-is-just-6-118091900144_1.html.
- Chatterjee, P. (2009). The Coming Crisis in West Bengal. *Economic & Political Weekly*, XLIV(9), 42-45.
- Collier, P. C. (2012). Violence, bribery, and fraud: The political economy of elections in sub-Saharan Africa. *Public Choice*, 153(1-2), 117-147.
- Dasgupta, R. (2009). The CPI (M) 'Machinery' in West Bengal: Two Village Narratives from Kochbihar and Malda. *Economic & Political Weekly*, XLIV (9), 70-81.
- Daxecker, U. (2020). Unequal votes, unequal violence: Malapportionment and election violence in India. *Journal of Peace Research*, 57(1), 156-170.
- Hoglund, K. (2009). Electoral violence: Causes, concepts and consequences. *Terrorism and Political Violence*, 21(3), 412-427.

- Kohli, A. (1997). From Breakdown to Order: West Bengal . In P. Chatterjee, *State and Politics in India* (pp. 336-366). New Delhi : Oxford University Press .
- LeBas, R. G.-R. (2020). Does electoral violence affect vote choice and willingness to vote? Conjoint analysis of a vignette experiment. *Journal of Peace Research*, 57(1), 77-92.
- Markony, M. N. (2020). Election Violence . In S. T. Romaniuk, *The Palgrave Encyclopedia of Global Security Studies*. Cham: Palgrave Macmillan. Retrieved from https://link.springer.com/referenceworkentry/10.1007/978-3-319-74336-3_37-1
- Mitra, R. B. (2023 , JULY 9). The Indian Express . *13, 14, 13: deaths in last 3 Bengal rural polls show violence culture entrenched* <https://indianexpress.com/article/political-pulse/13-14-13-deaths-in-last-3-bengal-rural-polls-show-violence-culture-entrenched-8819160/>.
- Muchlinski, S. B. (2017). Electoral Violence Prevention: What Works? . *Democratization*.
- Mullen, R. D. (2012). *Decentralization, Local Governance, and Social Wellbeing in India* . New York : Routledge .
- Muyomba-Tamale. (2015). The Situation Room Uganda Debate Briefing Papers . *Mitigating incidences of violence and emergent conflicts in Uganda's Electoral processes(No 7 of 2015)*. Kampala : GLISS, UYONET, NTV .
- Nath, S. (2020). Party-people and local governance in an Indian state: a longitudinal study on the roots of electoral violence. *India Review*, 19(3), 280-300.
- The Association for Democratic Reforms. (2019). *ADR Handbook* .
- The Association for Democratic Reforms. (2023). *All India Sitting MLAs Book 2023 - Full detailed list of state wise sitting MLAs with declared criminal cases from 28 State Assemblies and 2 Union Territories of India 2023*.
- The Hindu . (2023 , June 19). *Raj Bhavan's control room receives hundreds of complaints on West Bengal panchayat polls* <https://www.thehindu.com/news/national/other-states/complaints-of-physical-attack-political-intimidation-in-west-bengals-peace-room/article66985514.ece> .
- The Hindustan Times . (2021 , August 11). *MPs with criminal cases increased in last decade: Report* <https://www.hindustantimes.com/india-news/mps-with-criminal-cases-increased-in-last-decade-report-101628621064962.html>.

- The Hindustan Times. (2018, May 15). *2003 and 2018: When Bengal panchayat polls turned bloody*
<https://www.hindustantimes.com/kolkata/2003-and-2018-when-bengal-panchayat-polls-turned-bloody/story-TdgcN4ZBsURTnc7V7BuwFO.html> accessed on 23.03.2023 at 11:20 pm.
- The Hindustan Times. (2021, April 2). *A look back at the history of Bengal's political violence*
<https://www.hindustantimes.com/elections/west-bengal-assembly-election/a-look-back-at-the-history-of-bengal-s-political-violence-101617365703925.html> accessed on 23.03.2023 at 11:15 pm.
- The Indian Express . (2023 , June 21). *'Holding polls can't be licence for violence': SC dismisses pleas against Calcutta HC order on central forces deployment*
<https://indianexpress.com/article/india/supreme-court-west-bengal-panchayat-elections-plea-against-order-to-deploy-central-force-86741>.
- The Representation of the People Act . (1951). <https://www.parliament.ca/document/intrade/181101>.
Parliament of India .
- UNDP . (2009). *Elections and conflict prevention: a guide to analysis, planning and programming* .
New York: United Nations Development Programme.
- UNDP. (2011). *Understanding Electoral Violence in Asia*
<file:///C:/Users/User/Desktop/EV/UnderstandingElectoralViolenceinAsia-eng.pdf>. United Nations Development Programme.
- United Nations . (n.d.). *Sustainable Development* . Retrieved from Department of Economic and Social Affairs: <https://sdgs.un.org/goals/goal16>
- Vicente, P. C. (2014). Votes and Violence: Evidence from a Field Experiment in Nigeria . *The Economic Journal*, 124(574), F327–F355.
- West Bengal State Election Commission . (n.d.). MODEL CODE OF CONDUCT FOR THE GUIDANCE OF POLITICAL PARTIES AND CANDIDATES IN CONNECTION WITH PANCHAYAT GENERAL ELECTIONS
http://wbsec.gov.in/files/contents/MCC_ENGLISH_PANCHAYAT_main.pdf.
- Wilkinson, S. I. (2004). *Votes and Violence: Electoral Competition and Ethnic Riots in India* .
Cambridge : Cambridge University Press .

