Political Violence and the Media

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The motives behind violence are usually to force compliance, to subjugate, to persuade, or to intimidate, except for those most deviant individuals or groups who enjoy pointless bloodshed. There are many types of violence that are common within societies—domestic violence, criminal violence, and routine interpersonal violence.[1] Much of this violence takes place in private, with very limited or no mass media coverage of the violent acts themselves because their occurrence is unpredictable, invisible, random, or not subject to audiences. Moreover, individual acts of violence often go unmeasured, except in the case of death. These acts rarely have significant social consequences even though, cumulatively, they may have major consequences (such as indicating a crime wave or promoting laws to fight domestic abuse).[2] Private acts of violence are occasionally recorded by means of cell phone, home video, security cameras, and nanny-cams. If sensational enough, they are rebroadcast in mass media; however, they are not a standard part of media news coverage.

Violence commonly covered by mainstream news media includes socially sanctioned violence (organized prizefighting, police actions) or violence between and among societies (international terrorism, wars). Less universal, with wide variation across political cultures, is coverage of political violence. Political violence—sometimes officially sanctioned by governments seeking to remain in power and other times by competitors seeking to control government—is used to capture or maintain political power.

Political violence can take many forms, including assassinations, rebellions, guerilla wars, kidnappings, or mob violence. Violent outbreaks between legislators are also common in some political systems.[3]

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1. Examples of domestic violence include spousal abuse and corporal punishment for children. Criminal violence can include murders, rapes, and muggings. Routine interpersonal violence can include disputes that result in physical altercations.

2. *See generally* WORLD HEALTH ORG., WORLD REPORT ON VIOLENCE AND HEALTH (Etienne G. Krug et al. eds., 2002).

3. *See, e.g.*, YouTube.com, 2008 Greatest Parliamentary Fights of All Time, http://www.youtube.com/watch?v=qZ-hNVfTZqw (last visited Nov. 30, 2009); YouTube.com, Raw Video: Lawmakers Brawl in Mexico, http://www.youtube.com/watch?v=7poK4TlGeWo (last visited Nov. 30, 2009); YouTube.com, Alabama Senate Fight,

Political violence such as rebellions and insurrections may take place over years, but it can also occur in a time-concentrated form in the context of elections. Death tallies from political violence such as civil wars often have thresholds for reporting and analysis—but election violence, which typically has far fewer victims, is rarely studied. Only the exceptions, such as Kenya's 2007 election and 2008 post-election violence—with nearly 3,500 casualties, including more than 1,000 killed and 350,000 displaced—are widely reported.[4] This Essay looks at a subset of political violence—election violence—and its presentation in the media.

A full understanding of election violence and the media needs to be rooted in a richer understanding of two elements. The first is an understanding of the media—which media we are discussing, what topics are covered, what resources are dedicated to a story, and what makes something "newsworthy." These topics are far too extensive to be reviewed in this brief Essay. Suffice it to say that the old adage "if it bleeds, it leads" underscores the premium news media—and especially electronic media—place on vivid violence. Indeed, having some understanding of the nature of news coverage may well be part of the calculus groups use when engaged in election violence to intimidate voters. Media presentations of election violence surely reach more voters than just those who witness the violence in person.

The second element requiring understanding is the role of violence in conflict societies.[5] These societies are characterized by a lack of consensus on governance, questionable legitimacy of governing institutions, or unresolved and ongoing religious, racial, or ethnic cleavages.[6] Commonly, such conflict is manifested through civil war, guerrilla conflicts, domestic terrorism, or domestic military campaigns.[7] Often times, elections in conflict societies cannot take place because the government is a dictatorship[8] or civil unrest

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http://www.youtube.com/watch?v=vlXKBribICs (last visited Nov. 30, 2009). This is true particularly in Asia, where in Taiwanese Mandarin there is a special word to describe violence on the floor of the legislature. The rough translation for legislative floor violence in Taiwan is "legislative brawling." *See* Alice Wu, *Laugh Off All Those Political Banana Skins*, SOUTH CHINA MORNING POST, Jan. 17, 2009, at 10.

4. *See, e.g.*, COMM'N OF INQUIRY ON POST ELECTION VIOLENCE, WAKI REPORT 331, 351, http://www.eastandard.net/downloads/Waki_Report.pdf [hereinafter WAKI COMMISSION].

5. For further analysis of the strategies for domestic conflict, see STATHIS N. KALYVAS, THE LOGIC OF VIOLENCE IN CIVIL WAR 23 (Margaret Levi et al. eds., 2006).

6. *See* Raffaele Marchetti & Nathalie Tocci, *Conflict Society: Understanding the Role of Civil Society in Conflict*, 21 GLOBAL CHANGE, PEACE & SECURITY 201, 205 (2009).

7. *See generally* CHARLES TILLY, THE POLITICS OF COLLECTIVE VIOLENCE 64 (Doug McAdam et al. eds., 2003). For a comprehensive list of data sets on political violence, see American Political Science Association Task Force on Political Violence and Terrorism, http://www.apsanet.org/content_29436.cfm (last visited Nov. 30, 2009).

8. Knowledgerush.com, Dictatorship, http://knowledgerush.com/kr/encyclopedia/Dictatorship/ (last visited Nov. 30, 2009).

makes the administration of elections dangerous or impossible.[9]

In democratic societies, and indeed even in nondemocratic societies that hold noncompetitive elections with predetermined outcomes, elections are characterized by an intense period of campaigning. In addition, media attention to politics is usually heightened during the election campaign period. Elections are supposed to be "free."[10] While the election period varies from years (e.g., in the United States) to a thirty- or sixty-day window in other societies,[11] our focus is on political violence that takes place around elections, and on those whose goal it is for one or more political actors to gain electoral advantage.[12]

To be sure, election violence is only one of many options on the "menu of manipulation" available to political candidates and parties and used to persuade the electorate and manipulate outcomes. On the one hand, there is manipulation regarding the election process.[13] Tactics include registration fraud, vote buying, ballot box stuffing, and counting fraud.[14]

On the other hand, there is manipulation regarding the electorate.[15] The electorate is manipulated through nonviolent activities, including debates, television and mail advertising, posters, signs, text messaging, or the Internet, and usually but not always benign activities such as rallies or door-to-door canvassing and persuasion efforts.[16] These latter activities are not always benign because rallies can turn violent or confrontational and canvassing can be designed to intimidate rather than inform; however, the activities in and of themselves are not necessarily violent. Further along on the menu of

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9. *See, e.g.*, Robert F. Worth et al., *Security Clash with Thousands of Protesters in Tehran*, N.Y. TIMES, June 21, 2009, at A1.

10. *See* Universal Declaration of Human Rights, G.A. Res. 217A, at 75, U.N. GAOR, 3d Sess., 1st plen. mtg., U.N. Doc. A/810 (Dec. 10, 1948). The 1948 Universal Declaration of Human Rights declared the right to elections. *See also* International Covenant on Civil and Political Rights, Dec. 16, 1966, S. EXEC. DOC. E, 95-2, 999 U.N.T.S. 171. The 1966 International Covenant on Civil and Political Rights states that citizens have the right and opportunity "[t]o vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors." *Id.*

11. *African Observers Comment on U.S. Presidential Campaign*, AFRICAN TIMES (L.A.), Sept. 15–30, 2008, at 5.

12. For a more general approach to elections and violence, see David C. Rapoport & Leonard Weinberg, *Elections and Violence*, *in* THE DEMOCRATIC EXPERIENCE AND POLITICAL VIOLENCE 15, 16–18 (David C. Rapoport & Leonard Weinberg eds., 2001); B. de Gaay Fortman, *Elections and Civil Strife: Some Implications for International Election Observation*, *in* ELECTION OBSERVATION AND DEMOCRATIZATION IN AFRICA 76, 77–79 (Jon Abbink & Gerti Hesseling eds., 2000).

13. *See* Andreas Schedler, *The Menu of Manipulation*, J. DEMOCRACY, Apr. 2002, at 36, 44.

14. *Id.*; *see also* Fabrice Lehoucq, *Electoral Fraud: Causes, Types and Consequences*, 6 ANN. REV. POL. SCI. 233, 234 (2003).

15. Lehoucq, *supra* note 14, at 235, 251.

16. *See* Schedler, *supra* note 13, at 44.

manipulation are coercive, but nonviolent acts.[17]   Nonviolent acts include economic coercion, boycotts, shame, and psychological manipulation.[18]   Yet, other methods imply threats of physical harm such as vandalism, visibility, and intimidation.

I. DEFINING ELECTION VIOLENCE

While there may be many contending definitions of election violence, for our purposes, election violence is defined as acts that are used to harm, intimidate, exploit, disrupt, determine, hasten, delay, or reverse electoral processes or outcomes, and acts that occur between the registration of a voter and the inauguration of a political regime.[19]

There are several perspectives that can be taken on election violence, offering a wide range for analysis. One can look at: (1) the *tactics* of violence (e.g., beatings, kidnappings, killings); (2) the *perpetrators* of violence (e.g., party officials, governments); (3) the *participants* in violence (e.g., paid thugs, mobs, police, military, campaign workers, party loyalists); (4) the *venues* of violence (e.g., polling places, street rallies, government offices); (5) the *timing* of violence (e.g., before, during, or after the voting period); and, of course, (6) the *victims* of violence (e.g., election officials, voters, candidates).[20]

In developing a typology of election violence, the broadest question to be considered is whether election violence is proactive or reactive.[21] Proactive violence involves violence or the threat of violence to affect election outcomes and voting decisions.[22] Included in proactive violence are:

> (1) *Turnout suppression*—The goal here is to suppress votes. Individual voters' intentions may be difficult to discern; however, when there are cleavages along geographic, ethnic, linguistic, or religious boundaries, or a clear demographic basis of support, turnout suppression is an effective tactic because targets for violence or intimidation can be easily

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17. Megan Rief, *Making Democracy Safe: Institutional Causes and Consequences of Electoral Coercion and Violence* 5 (forthcoming Aug. 15, 2010) (unpublished Ph.D. dissertation, University of Michigan) (on file with author).

18. *Id.*

19. *See* JEFF FISCHER, ELECTORAL CONFLICT AND VIOLENCE: A STRATEGY FOR STUDY AND PREVENTION 3, 8 (2002), http://www.ifes.org/publication/aa0b586a072d706b699c9cdeb346946f/EConflictPaper.pdf.

20. Fischer offers a different categorization, including targets focused on electoral stakeholders (voters, candidates, election workers, media, and monitors), electoral information (registration data, results, ballots, and campaign materials), electoral facilities (polling and counting stations), and electoral events (rallies, travel to polling stations). FISCHER, *supra* note 19, at 8–10.

21. WORLD HEALTH ORG., *supra* note 2, at 5–6.

22. *See* Rief, *supra* note 17, at 28.

identified.

> (2) *Boycott enforcement*—The goal here is to lower turnout and thereby delegitimize the election. Enforcement targets can be one's own ethnic, tribal, religious, linguistic, or geographic group.[23]

Reactive violence occurs post-election and is often used to protest unfavorable election outcomes.[24] Reactive violence can take several forms:

> (1) *Justice seeking*—to protest or redress outcomes from rigged or fraudulent elections.

> (2) *Retaliatory*—to fulfill pre-election threats when the outcome is unsatisfactory.

> (3) *Outcome grieving*—to show displeasure with the outcome of a legitimate election in which there is no clear evidence of rigging or fraud. Often this violence is cloaked as redressing fraudulent elections.[25]

The political culture of the system is likely to be a key variable in determining whether there will be election violence. In most political systems, strong electioneering laws are designed to create a "safe space" to limit the possibility of physical intimidation in proximity to the polls.[26] However, enforcement of such laws varies significantly.[27]

In the United States, where there is a strong cultural norm of free elections, there have been episodes of political violence most closely associated with turnout suppression (e.g., threats of violence against African-

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23. *See id.*

24. *See id.*

25. *See id.* The difficulty in distinguishing between justice seeking and outcome grieving can be seen in the 2009 protests following the Iranian presidential elections, which incumbent Mahmoud Ahmadinejad claimed he won with 63% of the vote. Nazila Fathi, *A Recount Offer Fails to Silence Protests in Iran*, N.Y. TIMES, June 17, 2009, at A1. In the protests that followed, which showed substantial popular support for Mir-Hossein Moussavi, there was still no evidence of a Moussavi victory. *See also* Iran's Election Authority: Partial Recount Shows Election Valid, CNN.com (June 30, 2009), http://www.cnn.com/2009/WORLD/meast/06/29/iran.election/index.html. According to the Guardian Council, subsequent recounts showed no substantial irregularities. *Id.* While the protesters claimed election fraud, no empirical evidence emerged that indicated the results were fraudulent or that Ahmadinejad lost the election. *Id.*

26. *See* FISCHER, *supra* note 19, at 5–6.

27. *See id*. at 5.

Americans by organizations such as the Ku Klux Klan).[28] Other nonviolent methods of protesting elections or suppression are more common. These include Jim Crow laws to prevent registration of African-American voters, legislation to require specific forms of identification prior to voting, or long lines and insufficient staff to handle election-day volume.[29]

Allegations of fraud (dead voters casting votes, ballots lost or destroyed) are common in closely contested elections, such as the 2000 United States Presidential election or the 2008 United States Senate contest in Minnesota.[30] But even in these extreme cases in which the mechanics of the election were contested (poorly constructed ballots, faulty voting machines,[31] uneven and non-uniform application of election rules), the ultimate outcomes were accepted,[32] albeit grudgingly, and violence was absent. Incidents of post-election violence in the United States are rare or, at the very least, not well documented. Such is not the case in other systems.

II. THE MEDIA AND ELECTION VIOLENCE

The structure of media organizations and the nature of elections make it very difficult to fully ascertain the role of media in election violence, particularly if the violence is in the form of subtle intimidation or threats. These threats can be made through personal contact, rendering them invisible to the media. In addition, unlike other events such as mass political rallies or demonstrations, elections take place at thousands of venues in a given country. Yet, major media outlets are typically found only in national capitals or large cities.

Essentially, media outlets seem to have three frames for presentation of elections: violence or the images of voters going to the polls, ballots being dropped into ballot boxes, and officials and clerks counting returns.

While an election may be largely violence-free in rural and less accessible areas, violence in urban areas comes to define the election—both for the world at large and for the voters who see their compatriots threatened or beaten. While new technologies, such as cell phones and other highly mobile personal video devices, enable some bypassing of the mainstream media,

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28. *See* Francisco M. Ugarte, *Reconstruction Redux: Rehnquist,* Morrison*, and the* Civil Rights Cases, 41 HARV. C.R.-C.L. L. REV. 481, 493 (2006) (citing Lisa Cardyn, *Sexualized Racism/ Gendered Violence, Outraging the Body Politic in Reconstruction South*, 100 MICH. L. REV. 675, 692 (2002)).

29. L. Darnell Weeden, *How to Establish Flying the Confederate Flag with the State as Sponsor Violates the Equal Protection Clause*, 34 AKRON L. REV. 521, 542 (2001).

30. *See, e.g.*, Bush v. Gore, 531 U.S. 98, 101 (2000); *In re* Contest of Gen. Election, 767 N.W.2d 453, 456 (2009).

31. *Bush*, 351 U.S. at 104.

32. *Id.* at 122; *In re Contest*, 767 N.W.2d at 456.

there is often skepticism of the breadth of violence and issues of authenticity.[33]

The media play two crucial roles with respect to election violence. First, they provide evidence—or at least the external implication—that an election is illegitimate or being contested domestically, regardless of the fairness of the election or its certification by independent election commissions and election monitoring organizations. Interpretative frames may imply that the election has not been "free and fair" and has been rigged through voter intimidation or vote-counting fraud. Second, by showing compatriots being hurt or killed, the media serve to inform the domestic audience of the risks and dangers of participating in or protesting the election. While graphic images of violence may incite further protests, such protests more often dissipate in response to the risks, especially when the media also cover suppression of protests (like those in Tiananmen Square or more recently in Iran) and officials use the media to threaten violence against protesters.[34]

III. NOTABLE RECENT EXAMPLES OF ELECTION VIOLENCE

There is no shortage of examples of election violence captured in the mass media. The most recent example comes from Iran. Demonstrators took to the streets, at times violently protesting, while police and militia enforcers suppressed the demonstrations with lethal force. Images of the demonstrations that took place in Tehran, including the cell phone image of a demonstrator shot to death, were widely broadcast.[35]

Recent elections in Sri Lanka were often characterized by election violence, although not necessarily a result of interethnic conflict.[36] The Sinhalese government has now declared a "final victory" against the rebellious Tamil Tigers who are more or less "peacefully" demonstrating in their diaspora locations (e.g., New York and London).[37] Only time will tell if

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33. *See, e.g.*, YouTube.com, Basij Sh[o]ots to Death a Young Woman June 20th, http://www.youtube.com/watch?v=OjQxq5N--Kc (last visited Nov. 30, 2009). The endless television rebroadcasts and YouTube.com hits of the cell phone video showing the death of Neda Agha-Soltan during the 2009 post-election protests in Iran provides a good example of the merger of new and traditional media to show post-election violence. Several media outlets delayed broadcasting the video because it could not be "authenticated." *See* Noam Cohen, *How the Media Wrestle with the Web*, N.Y. TIMES, July 13, 2009, at B4.

34. *See, e.g.*, Worth, *supra* note 9, at A1.

35. *See supra* note 33.

36. Kristine Höglund & Anton Piyarathne, *Paying the Price for Patronage: Electoral Violence in Sri Lanka*, 47 COMMONW. & COMP. POL. 287, 293 (2009); *see also* YouTube.com, Pre Election Violence in Sri Lanka, http://www.youtube.com/watch?v=xrAaVo05F1o (last visited Nov. 30, 2009).

37. Posting of Robert Mackey to N.Y. TIMES News Blog, http://thelede.blogs.nytimes.com/2009/05/18/outside-sri-lanka-tamil-diaspora-not-ready-to-surrender/ (May 19, 2009, 06:36 EST).

forthcoming elections are free from violence.

In 2008, the elections to determine the future of Zimbabwe's President Robert Mugabe were marred by pre-election violence.[38] A wave of killings, kidnappings, and arson displaced tens of thousands of people from their home areas, denying them the ability to vote in the national election and intimidating countless others from voting.[39]

In Kenya, also in 2008, there was a massive wave of violence after incumbent president Mwai Kibaki was reelected in a questionable election.[40] Tribal and ethnic clashes resulted in more than 1,000 people being killed and more than 350,000 people being displaced.[41] The uneasy peace which produced an end to the election violence may have permanently damaged Kenya's reputation as one of the most stable and successful democracies in Africa.[42]

In India, Kashmir separatists called for a boycott of the 2004 national parliamentary elections. In the three weeks leading up to the election, militant groups allied with the Kashmir separatist movement staged a wave of attacks and bombings intended to intimidate voters and enforce the boycott against the election.[43]

In Macedonia, violence erupted during the 2008 national parliamentary elections.[44] The violence took place largely in ethnic Albanian areas and was perpetrated by supporters of the two ethnic Albanian political parties vying for the ethnic Albanian vote.[45]

IV. GOING FORWARD: MEDIA AND ELECTION VIOLENCE

In recent years, conventional media have broadcast election violence. Lightweight cameras and satellite uplinks have made it possible for conventional media to broadcast some images of election violence that take place virtually anywhere in the world. Even more pervasive are the images from personal media, such as cell phone cameras and lightweight digital video

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38. *See* Celia W. Dugger, *Zimbabwe's Crackdown Intensifies with Banning of Political Rallies*, N.Y. TIMES, Apr. 12, 2008, at A6.

39. *Id.*; *see also* Scott Baldauf, *African Union Calls for Unity Government in Zimbabwe*, CHRISTIAN SCI. MONITOR, July 3, 2008, at 90, *available at* http://www.csmonitor.com/2008/0703/p90s01-woaf.html.

40. WAKI COMMISSION, *supra* note 4, at 351; Jeffrey Gettleman, *Scarred by Strife After Election, Kenya Begins to Heal*, N.Y. TIMES, May 6, 2008, at A10; YouTube.com, Post-Election Violence Continuing Across Kenya—28 Jan 08, http://www.youtube.com/watch?v=mJ7Hv4xjhUM (last visited Nov. 30, 2009).

41. Gettleman, *supra* note 40, at A10.

42. *Id.*

43. *See* David Rohde, *India: Election Violence*, N.Y. TIMES, May 6, 2004, at A10.

44. Dan Bilefsky, *Violence Erupts in Macedonian Election*, N.Y. TIMES, June 2, 2008, at A8.

45. *Id.*

cameras, that make their way to a broader audience, instantaneously and in unedited form. As a result, now more than ever, the world has an opportunity to witness election violence. But our greater ability to see such violence does little to explain the underlying causes or help our understanding of that violence. Nor does it enable us to see if there are clear patterns of differentiated social activity or more universal motivations for election violence. Certainly presentation of these images does nothing to address the path to resolution of the conflicts that underlie the violence.

Despite plenty of anecdotal evidence and graphic images of election evidence, we still have very limited empirical and comparative evidence of the causes and trajectories of election violence.

Our thinking about election violence leads us to several questions that can be turned into testable hypotheses for researchers to examine, including:

> (1) Whether election violence is higher in conflict societies than in nonconflict societies.

> (2) Whether election violence is greater in systems that have other forms of political violence.

> (3) Whether violence is more likely to cause, protect, or reverse an election outcome.

> (4) Whether violent manipulation of elections has different origins than nonviolent election manipulation.

> (5) Whether election violence is greater when there are existing cleavages within society not rooted in ideology, but in ethnic, religious, racial, linguistic, economic, or geographic differences.

> (6) Whether election violence is greater at political transition points when the stakes are highest, such as the first democratic election, the end of dictatorship, upon independence, and so forth.

> (7) Whether election violence is greater in systems in which the government, rather than an independent electoral commission, administers the election.

> (8) With respect to the media, what are the dominant images of election violence?

(9) What are the narratives used to portray election violence?

(10) Whether the ease of access to new technologies increases the reported incidence of election violence.

Overall, our review of the issue suggests that this is a time of transition with respect to the media and its coverage of political violence. With an increasing number of so-called democratic elections, it is time to consider in richer detail the role of violence and its presentation in those elections, and what role both new and old media play in the exacerbation or reduction of violence in times of electoral change.