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The mimicry of the state as a state practice: the regulation of rickshaw licenses in Dhaka (Bangladesh)

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ABSTRACT

Around half a million cycle rickshaws are currently active in Dhaka, Bangladesh. With only 86,000 official licenses available, different types of organizations supply licenses to most rickshaw drivers. These non-official licenses mimic the language of the state. This article argues that while these licenses appear as part of non-state, hybrid, or twilight institutions, they in fact constitute a state practice. Based on approximately 200 semi-structured interviews at six locations in Dhaka and offering a conceptualization of the Bangladesh state as a party-state, the article shows that the operation of non-official rickshaw licenses and the mimicry entailed is an inherent part of party-state governance, one which is not morally neutral. While most respondents saw the everyday benefits of non-official licenses in the absence of sufficient official ones, the latter remained the most prized and, if made available, respondents agreed that the former would become redundant.

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Introduction

About 400,000–500,000¹ cycle rickshaws currently ply the roads of Dhaka, the capital of Bangladesh. To regulate this transportation sector the municipal corporation issued 86,000 licenses in 1986. Since then, no more official licenses have been issued. Yet, almost all rickshaws carry a license of sorts. Most of these are supplied by a number of associations. This article focuses on these non-official rickshaw licenses, the associations which issue them, and the way these are related to state regulation. While it is tempting to consider these non-official licenses as an example of the mimicry of the language of the state by non-state public authorities (potentially leading to a hybrid state/non-state arrangement) this article, by providing a conceptualization of the operation of the Bangladesh state, argues that these non-official licenses and the mimicry entailed in fact constitute a state practice.

I thus have two related aims: first, I provide insight into the regulation of one of the most important forms of public transport in Dhaka and second, and on a more theoretical level, I inquire whether a focus on hybridity forecloses a more profound reflection on the nature of the state in which mimicry can appear as a state practice.

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¹Estimates range from 300,000 to 700,000. Some newspaper reports put the figure at one million. See Ali 2016.

The article is based on around 200 semi-structured interviews conducted in six neighborhoods of Dhaka (see [Figure 1](#)). These neighborhoods were selected because of the high



Figure 1. Map of Dhaka City with research locations: Badda/Rampura, Demra, Kamrangichar, Mohammadpur, Shahjadpur, and Uttara. CREDIT: Map data ©2016Google.

density of rickshaw garages. These offered direct access to rickshaw owners, drivers, garage personnel such as managers and mechanics, and license brokers. The study was conducted in two phases. In November 2012, I conducted a pilot study on rickshaw garages and licenses. In March and April 2015 the bulk of the interviews were conducted, in collaboration with the Micro-Governance Research Initiative (MGR), Dhaka University. Seven Dhaka University social science students conducted approximately thirty interviews each, based on an interview protocol, in appointed neighborhoods. If respondents gave consent, the interview was recorded and later transcribed. In a few cases, field notes were taken and transcribed. The research material of one interviewer (focusing on Mirpur) was rejected from the study because of questions about research ethics and validity of the findings.

After providing a theoretical background to the argument and a general background to the rickshaw (license) system in Dhaka, I describe and analyze the mimicry involved in non-official license production. Following this, I propose a conception of the Bangladesh state as a party-state and show that this mimicry should be understood as a state practice.

The mimicry of (the language of) the state

Thomas Blom Hansen and Finn Stepputat have pointed to the “languages of stateness” or “the language of the state” as “a bundle of widespread and globalized registers of governance and authority” to understand the configuration of actual states. These consist of “practical languages of governance” (such as managing populations, census taking, and licensing certain economies) and “symbolic languages of authority.” A focus on the latter language of the state demands, as they argue, a close attention to “how the state tries to make itself real and tangible through symbols, texts, and iconography.”² Their focus on the language of the state has been used extensively, often in relation to another edited volume about the margins of the state edited by Veena Das and Deborah Poole.³ While these volumes aim to describe how state authority is produced, many authors working in this vein have focused on the challenge to look at “stateness” beyond the state by focusing on non-state actors. I distinguish between three inter-related sub-sets of literature: non-state authority, hybrid authority, and mimicry.

For the first set of literature, Christian Lund has drawn attention to “local authorities making decisions of a public nature, but in contrast to the state” while deploying its language.⁴ In a similar way, Stacey Hunt has deployed languages of stateness to explore the emergence of shadow states in “el pueblo” in Columbia, in the vacuum left by the official state.⁵ Lars Buur’s focus on vigilantes’ complex relation to the state – at the same time being “constituted outside the state” while maintaining an “intimate relation to the state”⁶ – is central to many discussions of stateness by non-state actors. In debates centering on “rebel governance” for instance,⁷ (material) symbols of state

²Hansen and Stepputat 2001, 5.

³Das and Poole 2004.

⁴Lund 2006, 687; see also Ranganathan 2014; Stel 2016.

⁵Hunt 2006.

⁶Buur 2006, 735; see also Pratten 2006.

⁷Arjona, Mampilly and Kasfir 2015.

authority, including currency,⁸ stamps,⁹ and military cemeteries¹⁰ have been crucial in the symbolic politics of the quintessential outside of the state: the rebel, sometimes giving rise to proto-states.¹¹ What these studies share is a focus on terms like contrast, vacuum, and “outside” in relation to the state.

While in the above-mentioned literature state and non-state actors remain discreet entities, the languages of stateness have also been considered by researchers who try to understand how state and non-state actors more closely integrate to form hybrid authority structures.¹² This literature has shown the way “public goods such as security, regulation, and revenue are thus co-produced by a broad range of state and non-state actors and practices.”¹³ It highlights the constant “negotiation, secret complicity, and/or open cooperation between non-state and state actors in forging governance.” These scholars take up the “languages of stateness” specifically to understand how non-state authorities may become state-like “through rituals, performances, and the appropriation” of these languages, while maintaining the crucial entanglement between state and non-state spheres of authority.¹⁴ While these scholars focus on integration between the two fields, they remain interested in how something outside the state can forge relations with a state, albeit a de-essentialized¹⁵ or de-centered¹⁶ one.

A third strand of literature, and one with which this paper shares an important connection, focuses on mimicry, drawing (often implicitly) on Homi Bhabha’s fundamental insight about the ambivalence and difference entailed in mimicry as “almost the same, but not quite.”¹⁷ The notion of mimicry has been predominantly used to understand the symbolic politics of non-state actors. Niklas Foxeus, for instance, shows how Buddhist “secretive esoteric congregations” in Myanmar mimic crucial state symbols, like the pre-modern royal palace, the hoisting of flags, and king-like statues¹⁸ depicting the congregation’s founder, to appropriate state forms of power against military rule.¹⁹ Similarly, a recent World Bank report on local justice systems in the Solomon Islands argues that the “mimicry of state forms” entails an effort to facilitate an “engagement with state actors” by making “local systems [...] legible” to the state and other external actors.²⁰ While not always explicitly theorized as using a Bhabhian framework per se, the groups and authorities appropriating state symbols discussed in the non-state and hybrid authority literature can be conceptualized as engaged in acts of mimicry, allowing non-state

⁸Podder 2014.

⁹Förster 2015.

¹⁰Mampilly 2015.

¹¹Raeymaekers 2013.

¹²Raeymaekers, Menkhous and Vlassenroot 2008; Meagher, De Herdt and Titeca 2014; for an overview see Hoffmann and Kirk 2013.

¹³Hagmann and Steputat 2016, 26.

¹⁴Telle and Kingsley 2016, 173.

¹⁵Fisher and Timmer 2013, 153.

¹⁶Hoffman and Kirk 2013, 13.

¹⁷Bhabha 1984. While Bhabha is an inspiration for my use of mimicry (in the sense of almost the same, but not quite), I do not want to overstate the Bhabhian nature of my argument. I am skeptical of overextending Bhabha’s framework as it was explicitly developed to understand colonial subject-formation, including a psycho-analytical frame of reference. While this could be considered a type of governance (in a bio-political sense), simply extending his framework to other governance domains is not feasible. My use of Bhabha as an inspiration is similar to his use by Klem and Maunaguru 2017 to look at sovereignty or by McConnel, Moreau, and Dittmer 2012 to look at diplomacy.

¹⁸For a short discussion of Bhabha in a hybrid authority context, see Petersen 2012.

¹⁹Foxeus 2016.

²⁰Allen, Dinnen, Evans, and Monson 2013, 71; for a critique see Oppermann 2015.

actors to use familiar repertoires to legitimize their rule, but at the same time reifying the state as providing a “master code.”²¹

In this case study of non-official rickshaw licensing in Bangladesh, the license plates being “almost the same, but not quite” is exactly what makes them valuable as a tool of party-state governance. If the non-official plates would just replicate exactly the official plates, as duplicates do, this would directly implicate the state (for instance, by suggesting state corruption). In contrast to the literature discussed above, where the outside of the state is a central focus of attention, in this case mimicry allows the party-state (see below) to act as if there is such an outside.²² It is mimicry which makes it appear as if the non-official plates – and the organizations that supply them – fall outside the control of the state. While mimicry has been used in the literature to show how non-state actors can appropriate some of the state’s symbolic power, often as a critique of the state, this case draws attention to the way in which the state itself benefits from mimicry. While at first the non-official rickshaw permits might appear to be mimicking state forms in order to buttress their authority by referring to a master code, they in the end turn out to be nothing more than an internal aspect of party-state rule. The only time when the double vision of mimicry is revealed in some way is when moral judgments are made on the functioning of the party-state through a criticism of the mimicry entailed in the non-official plates (see below).

Relating this argument back to the non-state and hybrid authority literature discussed above, while it is tempting to see the non-official rickshaw licenses as outcomes of “twilight institutions”²³ or part of a “hybrid state,”²⁴ a focus on contrast or hybridity blurs the fundamental inclusion of this type of non-official practices in the functioning of the Bangladesh state. A focus on hybridity would present these licenses as an outside domain which gets entangled with the “formal bureaucratic state.”²⁵ Like the vigilante groups in South Africa’s Port Elizabeth discussed by Lars Buur,²⁶ the license providing organizations would appear to be a force independent of the state and later integrated in its operation. I argue that these non-official practices can only be understood as fully internal to the organization of the Bangladesh state, from their beginning. They only can exist because of state sanction and should not be simply considered to be filling a void, but as emerging from a particular type of state governance. Because they have never been an outside domain, they cannot be integrated in the operation of the state. As I will show below, mimicry here is a state practice.

Before I turn to an overview of the rickshaw license system in Dhaka it is important to reflect on terminology. In this article, I use the term “non-official” to designate licenses issued by organizations other than the Dhaka City Corporation (DCC) or Union Councils.²⁷ I avoid employing terms such as “informal” or “illegal” because these suggest a lack of regulation by the state. While these licenses are not issued by the official

²¹Mbembe 2001, 103; see e.g. Hoffmann, Vlassenroot and Marchais 2016, 1436.

²²For the inspiration for acting “as if,” see Wedeen 1998; Mitchell 1991.

²³Lund 2006, 687.

²⁴Jaffe 2013, 735.

²⁵Ibid., 735.

²⁶Buur 2006.

²⁷Union councils, also known as union parishads, are the smallest administrative governance unit in Bangladesh. Each council has one chair and twelve members, three of whom must be women. There are currently 4554 councils in Bangladesh.

bureaucracy (the DCC or the Union Councils), they nevertheless are part of the state's regulatory order. The holders of these unofficial licenses are not simply permitted to function, or allowed to operate in the face of state weakness; they are fully dependent on state patronage. My choice for non-official is thus reminiscent of Ananya Roy's concerns with deregulation.²⁸ Roy posits the very process of deregulation – in contrast to “unregulation”²⁹ – as a form of state regulation:

Deregulation indicates a calculated informality, one that involves purposive action and planning, and one where the *seeming* withdrawal of regulatory power creates a logic of resource allocation, accumulation, and authority.³⁰

It is the latter logic which also plays a central role in the operation of the non-official permits. This type of non-official regulation allows the party-state leadership to direct resource allocation, in the case of the party-state through party networks, at the same time strengthening state control and party networks where accumulation takes place. This is important certainly given that international pressure to reduce the number of rickshaws on the streets of Dhaka makes the policy option of regularization unfeasible.³¹

The rickshaw (license) system in Dhaka

Around half a million rickshaws ply the streets of Dhaka. Ownership is mostly in the hands of medium-size to large owners. Most owners in our sample own between thirty and seventy rickshaws, with some owning more than 200. These were either people who inherited their business or were investors. A much smaller group of owner-drivers either owned a single rickshaw or had acquired a small number of rickshaws that they rented out. Rickshaws were stored at rickshaw garages, often controlled by large rickshaw owners who allowed storage for a small fee. Most rickshaw drivers were recent migrants looking for employment, sometimes on a seasonal basis. Given their (functional) landlessness, renting a rickshaw provided an alternative to scarce manual agricultural labor. Rickshaws are often rented out in two or three shifts (of five to six hours each) at between Tk80 and Tk120 (approximately US \$1.00 and US\$1.50).³² According to official government data, on average drivers in Dhaka earn Tk450 (US\$5.80) per day.³³ Some of our respondents mentioned they could earn as much as Tk800–1200 (US\$10.30–15.40) a day. Many said driving a rickshaw was much better pay than the main alternative, casual day labor as construction workers.

Licenses

The first bicycle rickshaws appeared in Dhaka in the 1930s and the first 100 official licenses were issued in 1944.³⁴ By 1952 this number had increased to 4000. After a long period

²⁸Roy 2009.

²⁹Her arguments against “unregulation” prompted me to choose “non-official” rather than “unofficial.”

³⁰Roy 2009, 83; my emphasis.

³¹Dhaka's general liveability and specifically its transport system have been scrutinized by donors in recent years. For example, both the World Bank and the Asian Development Bank have funded road and traffic projects. Many of these efforts have been geared toward reducing the number of cycle rickshaws, widely seen by planners to be detrimental to traffic flow.

³²Exchange rate at time of fieldwork.

³³Molla 2016.

³⁴Gallagher 1992, 88.



Figure 2. Rickshaw with city corporation permit, CREDIT: Aynul Islam, used by permission.

without any new licenses being issued, 14,000 new licenses were released in 1969. Finally, in 1986, the number was increased to 86,000.³⁵ Since then, no new official licenses have been issued, while the number of rickshaws has steadily increased.

In the past, alternative license systems also existed to bridge the gap between the number of official licenses and the number of rickshaws. Unlike today, rural union councils³⁶ licenses used to be the most common way to get the around the license ceiling. Duplicates of Municipal Corporation plates have been used at least since the 1970s. Finally, as Gallagher reports, around 1978 the first organization which he describes as a “protection racket” sprung up and provided tokens that could be shown to the police instead of an official license.³⁷ Owners and drivers resented this system and, after a campaign by rickshaw unions, the system was stopped.

Four types of licenses or road permits were available at the time of this research. The first is the official plate issued by the DCC (Figure 2). These are the licenses which were issued in 1986. Officially they have to be renewed by the plate owners every year. The owners of these plates in our survey either had a big rickshaw business or had good connections with the City Corporation when the plates were first issued. Very few of the rickshaw owners we interviewed had official licenses. Buying an official plate is expensive, costing between Tk 12,000 and Tk 25,000 (US\$150-\$320), along with yearly renewal fees. Owners of official licenses are reluctant to sell their stock. Instead, they rent out plates on a yearly basis for between Tk 300 (US\$3.80) and Tk 600 (US\$7.60) a month. These plates protect drivers from harassment, as neither police nor mobile courts would stop an officially certified rickshaw, except on VIP roads.

An additional benefit of owning an official plate was the potential to make illegal duplicates. According to respondents, there was at least one duplicate for each official plate,

³⁵90,000 according to Gallagher 1992, 93.

³⁶Union Councils are the smallest rural administrative and local government unit in Bangladesh.

³⁷Ibid., 92.



Figure 3. Rickshaw with Muktiyoddha permit. CREDIT: Aynul Islam, used by permission.

while for some as many as five duplicates existed. The actual facts were hard to ascertain, as most rickshaw owners said their DCC plates were non-duplicates. Those willing to discuss duplicates indicated the rental price was around Tk100 (US\$1.30) a month.

A third type of official plate was issued by rural union councils. These were used in two of our research locations, Uttara and Demra. Union council plates were simple to acquire. A person went to their local council office to register his rickshaw. These plates were cheap, with an annual fee of between Tk200 (US\$2.60) and Tk400 (US\$5.20). While officially these were not allowed on DCC territory, proximity to these rural unions allowed drivers to argue, when questioned by traffic police, that they were just dropping off passengers in Dhaka. In Uttara almost all rickshaws had union council plates. Moreover, given the large distance between Uttara and Dhaka proper (five kilometers), few rickshaws traveled outside of Uttara. In Demra, union council plates were combined with other types. While the former worked within Demra and nearby areas, when driving to other parts of Dhaka their authority and thus utility declined.

Finally, there were various non-official plates (see Figure 3). Non-official license providers often mentioned by our respondents included the Bangladesh Muktiyoddha Somonoy Parishad (Bangladesh Freedom Fighters Coordination Committee), Bangladesh Muktiyoddha Sangram Samiti (Bangladesh Freedom Fighters Movement Association), Insur Ali, Sangram, Bangladesh Rickshaw Van Sramik (workers) League, and Malik Samiti (Owner Association). Other organizations and associations had existed in the past, but were now no longer active at the time of this study. While their territories overlapped, some of these organizations were more dominant in certain locations (see below). Some associations were known under different names in different locations.

While prices varied substantially between different parts of Dhaka, these unofficial plates were cheaper than the official Dhaka plates. They cost between Tk50 (US\$0.60) and Tk200 (US\$2.60), and usually were valid for three to six months, after which they had to be renewed. Renewal was crucial as traffic police regularly stopped rickshaws with lapsed plates. Prices were variable and depended on the bargaining position of the rickshaw owner and the availability of alternative license systems. Big rickshaw owners went to the offices of the organizations themselves to arrange plates, but most relied on local *dalals* (brokers)³⁸ who delivered the plates in return for a fee. These *dalals* had good contacts with the leaders of the organizations and could be considered their de facto agents. As mentioned above, some plates were dominant in particular areas of Dhaka. While most respondents did not report any problems in using these non-official plates, some reported that more localized plates could give minor problems when driving far from the home turf of the issuing organization or in places where its leadership was less known. The only danger when using non-city corporation plates was mobile courts.³⁹ These authorities typically would impound all rickshaws using non-DCC plates. However, the lack of reporting of this practice might indicate its rare nature.⁴⁰

Spatial variation

In our different case study areas, different licenses dominated. In some cases, these licenses were not even mentioned by respondents in other parts of the city. Insur Ali licenses, while mentioned in areas like Mohammadpur and Badda, were mostly used by rickshaw drivers in Kamrangichar. The Bangladesh Rickshaw Van Sramik League and the Malik Samiti licenses were mostly used in Badda. All field sites had Muktiyoddha organizations providing licenses. While the Bangladesh Muktiyoddha Somonnoy Parishad had a presence in almost all locations, some branches were highly localized. In Mohammadpur, the Bangladesh Muktiyoddha Dhaka Mahanagar Somonnoy Parishad (Bangladesh Freedom Fighters Dhaka City Coordination Committee) offered a license that promised protection only in Mohammadpur and its close vicinity. As one rickshaw owner explained:

In this area [Mohammadpur] Muktiyoddha [Bangladesh Muktiyoddha Dhaka Mahanagar Somonnoy Parishad] is dominating. The rule is that this card cannot go outside of Mohammadpur. But the rules are not followed. Now drivers go everywhere according to their wish.

While this respondent felt safe using this license, others were less sure. Some respondents noted that Insur Ali plates were most useful in Kamrangichar and in nearby Old Dhaka. As the non-official licenses were closely tied to individuals or coalitions of local political leaders, often drawing upon the support of a specific government minister or member of parliament (MP), their validity was also dependent on the strength of this individual or MP. “Some cards are very powerful and some are less powerful,” explained one driver. “The power depends on the strength of the organization or the person providing the card.” While the main Muktiyoddha organizations had sufficient political support that

³⁸As in many South Asian countries, brokers in Bangladesh play a central role in connecting citizens to the state. The term *dalal* refers to these brokers, but has a negative connotation.

³⁹These were introduced in 2009 to provide limited judicial powers to administrative officers. They are supposed to provide instant legal actions against a number of offences.

⁴⁰According to two informants, license providers would sometimes inform their clients about where mobile courts would be located.

their licenses could be used everywhere, there seemed to be a general understanding that, as one rickshaw owner explained, “Some unofficial licenses do not ensure its accessibility in the whole of Dhaka city, whereas city corporation licenses have no restrictions in this matter.” At the same time, and as the above quote shows, in most cases, the Awami League government was seen as allowing all these licenses to be use, and only a minority of respondents discussed spatial restrictions.

The mimicry of the official license

Official plates are a materialization of the state and a sign of its authority.⁴¹ The license consists of an action of the state (“a practical language of governance”): by offering a license, the state allows for a certain activity to take place, and for this to be regulated by the state. At the same time, the license’s material form (the license itself) refers to the state’s symbolic languages of authority; it is a seal of approval affixed on the back of the rickshaw (see [figure 2](#)).

Both in their “practical language of governance” and in their “symbolic language of authority”⁴² the non-official licenses mimic the official ones. The non-official rickshaw licenses in their material form reflect the symbolic authority of the official city corporation plates. The non-official licenses mimic the official permit’s authorizing capacity. They also mimic the state sign itself. While visually distinct, the non-official plates replicate the overall design of the official license. Both have a rickshaw in the top corner, the name of the authorizing organization centered below, and a symbol referring to the issuing organization and the license number at the bottom. They are the same size and are attached in the same place at the back of rickshaws. In this sense, the official license clearly operates as a “master code” referred to by the non-official licenses.⁴³

The non-official licenses do not only copy the form of the official plates, they refer to state legality itself. This reference to state legality enhances their legitimacy. Quite often, the users of these non-official plates we interviewed would refer to their license as legal. One rickshaw owner argued:

They have written in the plate that it is a government permitted card. If you check one plate then you will understand. They have taken a writ from the high court. In the plate you will see the writ petition number, date of case, serial number, direction from the high court.

This claim of legality was precarious, given that no judgment had been given at the time of this interview. The reference to being “government permitted” is equally ambiguous. As I argue below, such executive permission can only be understood in connection to the working of the party-state. Finally, unofficial permits clearly referred to the law in stating that driving on VIP roads was not allowed, as per official regulations.

While the symbolic mimicry of the state helps to maintain its legitimacy, more crucial for the drivers and owners was that in their practical daily lives the non-official licenses functioned as well as official ones. They regulated which rickshaws could operate where. Respondents, while of course aware that different types of licenses existed and that those issued by the City Corporation were official, did not see much difference in

⁴¹Hansen and Stepputat 2001, 8.

⁴²Hansen and Stepputat 2001, 5.

⁴³Mbembe 2001, 103.

practice. Many respondents echoed a driver who stated, “We usually take a license from the Bangladesh Muktiyoddha Somonnoy Parishad. It works like a city corporation license.” The perceived legality of non-official licenses was repeatedly justified by respondents who noted that traffic police allowed the practice. One driver in Badda asserted, “If any rickshaw has this plate [from the Muktiyoddha Parishad] the traffic sergeant cannot take this rickshaw.” Some even thought the Muktiyoddha license was more practical than an official one. A garage owner in Kamrangichar explained:

Dhaka city plates create more problems in VIP roads. If the police capture rickshaws with a Dhaka city plate in the VIP roads, they do not give back the rickshaw easily. But with a Muktiyoddha plate, they let them go easily.

Police officials were aware that an official license was worth more than the rickshaw. Non-official plates, only worth a few hundred taka and expiring after a few months, did not add any value to the rickshaw, allowing it to be released easier.

It could be argued that the associations issuing these licenses take on a form of state-ness, acting like successful public authorities licensing rickshaws. Because the police did not stop these rickshaws, and even enforced the renewal of non-official licenses, these appear to be fundamentally hybrid. However, such an analysis disregards the nature of the Bangladesh state as well as the formation of the licensing associations involved.

The Bangladesh party-state

The operation of the Bangladesh state necessitates a closer look at the twilight or hybrid character of the non-official license system. Borrowing from the work of Aristide Zolberg on the workings of West-African single-party regimes, I describe the Bangladesh state as a party-state.⁴⁴ In a party-state there is a strong overlap between the party and the state, and state resources are used to further party goals. Positions within the state apparatus are used to reward loyal party cadres. As such, the party is the key organizing vehicle: it connects the formal operation of the state to the objectives and practices of the political party in power. Zolberg particularly highlights the role of party wings. In a party-state, these have a central role, not only furthering the party’s agenda, but ensuring social control and regulating particular (economic) sectors of society.

These branches include those that have fairly direct linkages to the political party in power (such as student and youth organizations, or farmer and trade unions), but also a host of associations and committees, in which party affiliation is crucial for gaining power and authority. The Bangladesh state has allowed a number of these auxiliary organizations to regulate specific sectors of society and the economy, but also controls them politically. For example, student organizations aim to dominate campuses, and youth organizations are allowed to organize markets and extract taxes. Market, transport, and industry committees, dominated by members of the party-in-power, regulate these specific sectors. Through connections with ministers and MPs, these groups are able to regulate and govern. As such, they cannot operate without clear state sanction. They are part of the state’s arsenal to manage the population and the economy, sometimes providing a means of overcoming certain policy contradictions. This context is crucial to

⁴⁴Zolberg 1966. For the related notion of “partyarchy,” see Hasan 2006, 20.

understand why the non-official rickshaw license system an *internal* part of the party-state, not an external force.

This integration started during the formation of a party-state political organization under the Awami League of Mujibur Rahman (in power, 1972–1975). Under his rule, the logic of the party-state was not yet embedded or hegemonic. He used the Awami League party to actively bind societal groups to his nascent state. Patronage was used by the AL to integrate them. A similar logic was followed under Ziaur Rahman (in power 1978–1982) after the formation of the Bangladesh Nationalist Party (BNP) and Hussain Mohammad Ershad (in power 1986–1991) after the formation of the Jatiya Party. By the time of democratic elections in 1991, this form of rule had become consolidated.

License mimicry as a party-state practice

The operation of the different associations and their connections to the ruling party are central to understanding the integration of the non-official license business and the party-state. While not all respondents knew, or were willing to share the details of, how exactly the associations were connected, for all it was very clear that these groups worked in close collaboration with the ruling party, and that everybody understood that they only acted “as if” they were outsiders. A Mohammadpur rickshaw owner said:

The card providing organization has a connection to the government, for instance through a minister’s relative or his personal secretary; or his junior leaders are involved. Through this organization, they are getting crore-crore taka.⁴⁵ Usually, they get tender from the government for introducing this card on the market for a year.

Another respondent argued, “The strength [of the non-official licenses] is that these organizations are being operated under the ruling party, or, in other words, that these organizations are different wings of the ruling party.” The associations that operate these license businesses form part of the cadre base of the ruling party, with individual ministers and MPs providing specific shelter to these operations. They supply manpower (for instance, for processions or election duty) and help to sustain the party’s network; in return they are allowed a part of the rickshaw business.

Non-official license associations and party-state integration

The role of Insur Ali in the non-official permit business is an example of how this system operates. Ali was at the time of this research the general secretary of the Jatiya Rickshaw Van Sramik League, a part of the AL trade union, Bangladesh Sramik League. In an interview with the *New Nation*, a Bangladesh newspaper, Ali stated that 35,000 rickshaws operated under his organization.⁴⁶ In our interviews, Insur Ali also makes frequent appearances, whether as a personal provider of rickshaw licenses, or in the form of Sramik League or Sangram licenses. As the general secretary of the ruling party’s trade union, he was directly integrated into the network of the party-state. Because of this, he was considered an important political leader in Kamrangichar, where he lived. His direct link came through a well-known Awami League politician and minister, as explained by a rickshaw owner:

⁴⁵One crore equals 10 million.

⁴⁶New Nation 2015.

You go to the AL party office. You will see Insur Ali there. A black-colored man. His name is Insur Ali. He is younger than me. Maya Chowdhury has given him the opportunity.

The reference to the AL party office is quite telling. When asked where someone could arrange a license, other respondents directly named Insur Ali and his office on Bangabandhu Avenue in Dhaka (also the site of the Awami League central office). Ali's openness about his connection to the ruling party and the way he is openly patronized demonstrates that his non-official license business does not operate in the shadows, but is clearly integrated into the working of the ruling party and hence the state.

A second type of organization and arguably the most powerful in the non-official permit business are the freedom fighters associations. Given Bangladesh's fairly recent war of independence (1971), freedom fighters are venerated in society. Freedom fighters (and their families) have access to preferential jobs, loans, and educational opportunities through a thirty percent quota system. This preferential access extends to the license sector, providing a veneer of legality to the non-official license system.

Some respondents referred to the background of the freedom fighters in allowing for their license business: "The profit which is earned is given to the welfare of the freedom fighters," said one. Another respondent commented: "This card is given by the government to help the freedom fighters who are not able to work." Yet others noted these associations' strong contacts with the government. The freedom fighter associations are particularly associated with the AL, which took the lead in the independence movement. Those involved in the organization are well-known AL leaders, having been involved in AL politics since Bangladesh independence, as noted by one Muktiyoddha plate owner:

You may know [famous leader of one of the Mukhti Bahini groups]. He has a relation to the Prime Minister. He was a good friend of Sheikh Shaheb [Mujibur Rahman]. He has some people. They call a meeting. In this meeting, they discuss the full process. He attends the meeting. They discuss the rate of the plate, how to provide the plate, how to take money, how to maintain all the procedures.

These associations organize and participate in ruling party programs and provide manpower and organizational power. They specifically highlight the role of the AL in bringing independence, and downplay the role of the founder of the rival BNP, Ziaur Rahman, in the independence struggle. Like Insur Ali, they offer a network in different parts of the city, which can be drawn upon by political leaders. Fully integrated into the working of the ruling party, they in return are allowed to regulate part of the rickshaw trade and profit from this.

Police, administration, government

Police cooperation amounted to more than simple indifference to non-official licenses. The police played an active role in the enforcement of non-official rickshaw plates. To have an up-to-date license was considered crucial. The importance of keeping non-official plates up-to-date, to avoid having a rickshaw impounded by the police, shows the close integration of state officials into the non-official license business. They are not simply bystanders, but actively work in favor of those supplying non-official licenses. They did not enforce the use of official DCC licenses by searching for non-official plates. Instead, they looked for expired non-official licenses.

This police cooperation, and the way it is managed by political leaders and administrators, should not be taken at face value. Traffic police have a very real stake in allowing rickshaw drivers with non-official licenses to go about their business unharmed. All license-giving organizations provide a cut of their profits to the police force, at all levels of operation. While this of course is clearly corruption, again in the logic of the party-state, this corruption plays a facilitating role. As mentioned, loyal party cadres are rewarded with state positions. A position with the traffic police is one way party cadres are rewarded.⁴⁷ Again, the close integration between party leadership, administration (including police), and auxiliary organizations, like trade unions or freedom fighters associations, allows for the smooth operation of the license system.

While individual benefits accruing to the license associations and the traffic police lubricate the non-official license system, the government has clear incentives to not further regulate the trade. To do so, they would have two choices. The first would be to limit the actual number of rickshaws operating on the streets to the 86,000 official plates already issued. The second would be to issue additional licenses, regularizing the current situation and, by formal bureaucratic procedure, eliminating all non-official licenses. The first option is highly unfeasible. One rickshaw, as it is rented out at least twice, and often three times a day, helps to provide a livelihood for two or three families. Even using the low estimate of 400,000 rickshaws on the streets of Dhaka, the industry supports between 800,000 and 1.2 million workers. This does not include the garage personal, bicycle repairmen, restaurant staff, and others who make a living from the rickshaw business. From a governance and economic perspective, with seasonal migration into Dhaka showing no signs of abating, these jobs are quite crucial to maintain.

The latter option, regularizing the non-official sector, is also not feasible. The Bangladesh government has repeatedly committed to reducing traffic congestion in Dhaka.⁴⁸ Rickshaws (and other small transport vehicles like motorized three-wheelers, or CNGs) do not fit into these plans and have been destined to disappear by planners.⁴⁹ With the support of the World Bank, all small transport vehicles have been banned from so-called VIP roads – a ban, as all our respondents agreed, which was heavily policed – and a full amnesty would mean serious loss of face for the government.⁵⁰ Some respondents were quite aware of this. As one explained:

The authorities cannot give permission to increase the number of city corporation plates, because more rickshaws means an increase in traffic jams. So the government gave permission to some organizations to issue the rickshaw licenses.

The origins of the non-official licenses were put in this context by an active member of the Muktiyoddha federation in Badda:

As the number of licenses was very insufficient some organizations created pressure to issue new licenses. But the government wanted to remove the additional rickshaws from Dhaka city. So they did not give permission [to issue new licenses]. Then the organizations created pressure from time to time and the authorities became bound to give permission unofficially.

⁴⁷See the International Crisis Group 2009.

⁴⁸For an overview see Uddin Hasan 2013, 141–149.

⁴⁹For a critique, see Bari and Efrogmson 2005.

⁵⁰The World Bank 2013. While the World Bank initially aimed to reduce the number of rickshaws in Dhaka, it has reassessed this approach, for reasons of environmental sustainability, see Ke 2014.

For the AL government, allowing the non-official sector to continue maintains jobs for a poor and often mobile population. In addition, the government does not lose face or contradict its public commitment to resolve Dhaka's traffic congestion by reducing the number of small passenger vehicles, including rickshaws. Finally, this provides opportunities for party-state patronage to AL supporters. It is a political solution to the problem of rickshaw licenses, rather than a bureaucratic one, which would entail either issuing more licenses or enforcing the reduction of rickshaws plying the streets.

Regime change

This political solution, using party associations to regulate the rickshaw sector rather than a bureaucratic one involving the administration and the police, has become more pronounced during the most recent Awami League administration (since 2008 until now), according to respondents. While our material does not allow a full analysis of the historical evolution of the rickshaw trade since the return to democracy in 1991, it is important to highlight some of the variations during the BNP period, as this illustrates party-state rule and highlights clear policy differences between the two parties. While the BNP also used party wings while in power, their focus was more clearly on bureaucratic consolidation. This is in line with historical differences between the Awami League and BNP. Under Sheikh Mujibur Rahman (in power 1972–1975), the Awami League viewed the bureaucracy and its privileges as a relic of the Pakistan period, so aimed to establish “political control over the bureaucracy,” trying to circumvent the bureaucracy by working through loyal party cadres.⁵¹ In contrast, Ziaur Rahman (in power 1975–1981), and the BNP he founded, supported bureaucrats and restored many of the privileges they had lost during the Awami League period.⁵² This historical preference for the bureaucracy was also evident in the rickshaw sector.

The non-official license business follows the party-state model. In line with what happens on Bangladesh university campuses, on market committees, and in business associations, the supporters of the party-in-power take control after a change of government. Given their close association and even integration into the Awami League, the license organizations at the time of this research were mostly not operational during the BNP period. A garage manager in Mohammadpur explained, “The Muktiyoddha plate was introduced during this AL government. These plates were not available under the previous government.” In other cases, the organization had remained the same but its leadership had changed. “When AL is in power, the members of the Malik Samiti are all AL supporters,” a Badda mechanic said, “when the government changes, the members change.” During the BNP period, the most popular plate was the Mahtab license, according to one respondent. Others were certain that a change in party in power would again change the set-up of the license sector. According to a rickshaw owner in Kamrangichar, “When BNP comes to power they will chase the present organizations.”

⁵¹Ahmed 1991, 84.

⁵²Hossain 1988, 43.

While non-official licenses had been available when the BNP was in power between 2001 and 2006, respondents who discussed this issue agreed that these licenses had not been as good as the current ones, as illustrated in this quote by a garage manager:

During the BNP period there were such plates which worked like the city corporation license. But by using these cards we did not feel secure. That is why we mainly operated these rickshaws in the evening or in the very early morning.

The BNP government did not support the non-official licenses. Faced with the same limits on official licenses, most garage owners “made duplicate plates from the original licenses,” according to one mechanic.

Certainly, the police played a much more active role during BNP rule. Without the backing of the BNP party-state, the non-official licenses did not have police support. The decision by the BNP government to encourage the police to crack down on the rickshaw sector did not reduce the number of rickshaws in Dhaka. Rather, it gave traffic police new opportunities to supplement their salaries by seizing rickshaws and requiring drivers and owners to pay fines.

Party-state morality

Given the ubiquity of non-official licenses in Dhaka, why does anyone use a more expensive city corporation license? Most of the rickshaw owners and pullers interviewed for this study agreed that non-official licenses were much cheaper and offered smooth operation on the street. This did not mean they fully equated them with official plates. The morality of non-official licenses was repeatedly challenged. While respondents commented that this was the way things worked in Bangladesh, the official license remained imbued with a special aura. As one owner commented, “I am using the original Dhaka city plates on all of my rickshaws because with these plates, our drivers can drive their rickshaws freely and raise their heads proudly in the street.” Another rickshaw owner stated: “The rickshaws which have the City Corporation license are the kings of the road.”

The morality of the party-state and its role in the business of non-official licenses was most eloquently stated by one Kamrangichar rickshaw owner, discussing the role of the administration in the non-official license business: “In bad work there are a hundred people, but in good work, there is only one active in society.” In other words, if you have the backing of powerful persons, morality is no longer important. As another driver stated, “In Bangladesh everything is possible. Taka and power can make everything possible.” Using the official licenses was equated with being a good or morally upright person. A garage manager, talking about one owner, praised him: “Our Mahajan is a good and exceptional person. He does not want to be the *tabedari* [dependent, client] of others. That is why he uses the Dhaka city plate.” Another garage owner, who considered himself to be an honest person and who had invested in official plates, complained:

Any person with a few thousand taka can become a garage owner. They buy five or six rickshaws and then take an unofficial plate. Nobody is saying anything to them. Not the government, not the administration. Formerly, everybody who wanted to own a garage feared that it was mandatory to take the Dhaka city plate. But now they are using these unofficial plates without hesitation.

He saw this as the breakdown of the rickshaw sector, pushing honest rickshaw owners out of business. Many rickshaw owners used non-official licenses because there were no official ones available. With the police allowing non-official licenses and even supporting the business, rickshaw owners had few options. Yet, in line with the lack of moral ground of the non-official rickshaws, their use was not preferred: the non-official licenses did not trump the official ones. As one owner stated, “if the government would provide new licenses from the city corporation, the [Malik] Samiti would lose its authority to provide licenses.”

In Demra and Uttara, licenses from union councils were available and could be used to some extent. In Demra the licenses were mostly used by drivers operating within Demra itself and its vicinity. Yet in Uttara they could be used in almost all areas. What these examples show is that if an official license is available, the non-official licenses are much less popular. In Demra, non-official licenses, which drivers used when they peddled a customer to other parts of Dhaka, were markedly cheaper than they were in areas where there were few other options. Party-state regulation has given rise to closely integrated non-official license systems. Yet, while those owning, repairing, or driving rickshaws were happy to use these non-official licenses, they preferred a morally superior official license.

Conclusion

In this article I have argued that while the literature on hybrid or twilight institutions has highlighted the complexity of and relations between state and non-state forms of regulation, researchers should try to understand what kind of states are operating in contexts where regulation is not only the domain of the state. As the case of non-official rickshaw licenses in Dhaka shows, this type of regulation does not originate outside the state. Using the concept of the party-state, I argue that non-official rickshaw licenses in fact are a part of state regulation and the organizations issuing them are closely integrated into the operation of the Bangladesh party-state. As such, while non-official licenses may appear to mimic the language of the state this mimicry is part of the operation of the state itself. Members of the party-state, including the leadership of the issuing organizations and political party leaders, the administration, and police enforce compliance with the non-official rickshaw license business, with all benefitting from its operation. While those in the rickshaw business are quite happy with the availability at a reduced cost of these non-official licenses – given that most in the business believe these are as effective as the official ones – the morality of the non-official license trade is still questioned. If more official rickshaw licenses were available there is a good chance that owners and drivers alike would prefer these. Certainly for drivers, this would increase the security of their livelihood, disregarding a change of party in power. It remains to be seen whether the long-lived fallacy of the demise of the rickshaw trade in Dhaka will change. However, if new forms of regulation fail to take into account the workings of the party-state and the associate logics of resource allocation and accumulation, these are bound to fail.

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