

Regional Consultation on Electoral and Political Reforms – Northern Region

Date and Venue: 17th August, 2017; IIC (Annexe), New Delhi

Background Note

Session: Electoral malpractices and its concerns

Elections are viewed as a festival of democracy, considering the fact that they provide all citizens with the opportunity to elect their representatives. This is how elections act as a vehicle through which citizens participate in the democratic process, and help build capacities that are central to achieving accountable, democratic governance. A CSDS survey shows that Indian people vote during election time because they see democracy as an act of faith and election as a ritual of belief in a great institution. This process however, is often marred by several malpractices because of intense competition and immense pressure to win.

Some such malpractices during elections in India include campaigning based on identity politics, vote buying, intimidation of voter through use of muscle power, and paid news.

In an intricately diverse and multi-cultural country like India, we often see voters, especially outside big cities, being historically organised by politicians into “vote-banks” along religious, caste, regional and linguistic lines. This has resulted into a landmark ruling by the SC, in January 2017, where it banned political candidates from seeking votes on the basis of religion, caste or language, maintaining that election was a secular exercise. The court held that an election won by soliciting votes along the lines of identity politics could be considered corrupt practice and the result can possibly be set aside.

Vote buying is a serious menace that vitiates the integrity of elections. During the last five assembly elections in 2017, the Election Commission seized over Rs 350 crores a major portion of which was in cash, in addition to millions of litres of liquor and huge amount of drugs and narcotics. The diverse method of vote buying includes ‘in-kind gifts, cash handouts, electronic transfer of funds, payment to attend party rallies, politicians funding birthday parties, free telephone cards, transfer of money through fake wins at gambling and free sight-seeing’. According to a poll by Centre for Media Studies, ‘in the 2009 elections in Tamil Nadu, 33.4% of voters received money from candidates’ supports for their vote...and in 2011, voters were lured to polls with blenders, grinders and other household appliances’. These payments and gifts are given not only prior but also after the elections, depending on the outcome.

Until a few decades, intimidation of voters, stuffing ballot boxes and booth capturing was the norm in many parts of the country. With the deployment of security forces, introduction of EVMs, phasing of polling, the conduct of polling has improved considerably. However, certain practices still persist in certain parts of rural India, where rural voters are goaded by herd instincts. Even now there are attempts at buying votes, and those who resist are cowed down by hooligans hired by political parties through money power.

Apart from the traditional electoral malpractices the latest one is ‘paid news’. This has essentially emanated from the fact that much of the mass media is currently dominated by corporate conglomerates often aligned to a particular political party and which are solely interested in maximization of profits. It misleads the public and hampers their ability to form correct opinions.

Given the fact that currently existing electoral malpractices seriously undermine and endanger democracy, ADR hopes that this discussion would focus primarily on how to control and minimize the impact of such malpractices on elections and secondly, the possible legislative action and legal recourse, if any.

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