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UNIVERSITY OF NORTH BENGAL

MASTER OF ARTS-POLITICAL SCIENCE

SEMESTER -I

ELECTORAL POLITICS

ELECTIVE-105

BLOCK-2

UNIVERSITY OF NORTH BENGAL

Postal Address:

The Registrar,

University of North Bengal,

Raja Rammohunpur,

P.O.-N.B.U., Dist-Darjeeling,

West Bengal, Pin-734013,

India.

Phone: (O) +91 0353-2776331/2699008

Fax: (0353) 2776313, 2699001

Email: regnbu@sancharnet.in ; regnbu@nbu.ac.in

Website: www.nbu.ac.in

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FOREWORD

The Self Learning Material (SLM) is written with the aim of providing simple and organized study content to all the learners. The SLMs are prepared on the framework of being mutually cohesive, internally consistent and structured as per the university's syllabi. It is a humble attempt to give glimpses of the various approaches and dimensions to the topic of study and to kindle the learner's interest to the subject

We have tried to put together information from various sources into this book that has been written in an engaging style with interesting and relevant examples. It introduces you to the insights of subject concepts and theories and presents them in a way that is easy to understand and comprehend.

We always believe in continuous improvement and would periodically update the content in the very interest of the learners. It may be added that despite enormous efforts and coordination, there is every possibility for some omission or inadequacy in few areas or topics, which would definitely be rectified in future.

We hope you enjoy learning from this book and the experience truly enrich your learning and help you to advance in your career and future endeavours.



ELECTORAL POLITICS

BLOCK 1

Unit 1 Introduction To Representation Systems: Types And Significance

Unit 2 Party System In India

Unit 3 Single Party To Dominant And Multi-Party System

Unit 4 Regional And State Parties

Unit 5 coalition Politics; Party Alliances And Government Formation

Unit 6 federalism, Regionalism And Political Parties

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BLOCK 2

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BLOCK 2 – ELECTORAL POLITICS PART B

In this block we will go through the rise of competitive coalition systems, Electoral system in India since 1950, defects and reforms of the Electoral process

Unit 8 focuses on coalition systems

Unit 9 focuses on cast, classpolitics

Unit 10 focuses on electoral system

Unit 11 focuses on election commission

Unit 12 deals with Anti Defection Law

Unit 13 focuses on defects and reforms

Unit 14 deals with on code of conduct

UNIT - 8: RISE OF COMPETITIVE COALITION SYSTEM

STRUCTURE

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- 8.1 Introduction
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- 8.3 Function of coalition system
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8.0 OBJECTIVES

After studying this unit, you should be able to:

- Learn about formation of coalition system
- Understand what is the function of coalition system
- Learn about Competitive coalition
- Critique on coalition system

8.0 INTRODUCTION

The term "**coalition**" is the denotation for a group formed when two or more people, factions, states, political parties, militaries etc. agree to

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work together temporarily in a partnership to achieve a common goal. The word coalition connotes a coming together to achieve a goal.

In simplest terms, a coalition is a group of individuals and/or organizations with a common interest who agree to work together toward a common goal. That goal could be as narrow as obtaining funding for a specific intervention, or as broad as trying to improve permanently the overall quality of life for most people in the community. By the same token, the individuals and organizations involved might be drawn from a narrow area of interest, or might include representatives of nearly every segment of the community, depending upon the breadth of the issue.

Coalitions may be loose associations in which members work for a short time to achieve a specific goal, and then disband. They may also become organizations in themselves, with governing bodies, particular community responsibilities, funding, and permanence. They may draw from a community, a region, a state, or even the nation as a whole (the National Coalition to Ban Handguns, for instance). Regardless of their size and structure, they exist to create and/or support efforts to reach a particular set of goals.

Coalition goals are as varied as coalitions themselves, but often contain elements of one or more of the following:

- Influencing or developing public policy, usually around a specific issue.
- Changing people's behaviour (reducing smoking or drug use, for instance).
- Building a healthy community. This term generally refers both to the community's physical health (which may include not only medical and preventive or wellness services, but the environment, community planning, housing, hunger, substance abuse, and other factors) and its social and psychological health (encompassing diversity, education, culture and the arts, violence prevention, youth development, employment, economic development, mental health and other human services, etc.).

8.2 FORMATION OF COALITION SYSTEM

According to A Guide for Political Parties published by National Democratic Institute and The Oslo Center for Peace and Human Rights, there are five steps of coalition-building:

1. **Developing a party strategy:** The first step in coalition-building involves developing a party strategy that will lay the ground for successful negotiation. The more effort parties place on this step, the more likely they are to identify strategic partners, negotiate a good deal and avoid some of the common pitfalls associated with coalition-building.
2. **Negotiating a coalition:** Based on the strategy that each party has prepared, in Step 2 the parties come together to negotiate and hopefully reach agreement on the terms for the coalition. Depending on the context and objectives of the coalition, these negotiations may be completely secret or partially public. While some issues may be agreed on with relative ease, others may be more contentious and require different approaches to reach compromise.
3. **Getting started:** As negotiation begins to wrap-up, the agreement between political parties needs to be formally sealed. This includes finalizing a written agreement, securing formal approval of the deal from the relevant structures of the coalition's member parties and announcing the coalition details to the general public.
4. **Working in a coalition:** As the coalition partners begin working to implement their agreement, they will need to maintain good relations by continuing efforts to increase or sustain trust and communication among the member parties. Each party will also need to strike a balance between respecting its obligations to the coalition and maintaining its individual identity.

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5. **Drawing lessons learned:** Regardless of whether it plans to move forward alone or in another coalition, it is important for each party to review and document lessons learned from each coalition-building experience. This will make it possible to get a clearer picture of the positive and negative impacts of coalition-building on the party and to identify lessons learned that can inform any future coalition-building efforts.

Coalitions manifest in a variety of forms, types, and terms of duration:

- Campaign coalitions with high intensity and long-term cooperation
- Federations, characterized by relatively lower degree of involvement, intensity, and participation, involving cooperation of long duration, but with members' primary commitment remaining with their own entities
- Instrumental coalitions, involving low-intensity involvement without a foundation to mediate conflict
- Event-based coalitions that have a high level of involvement and the potential for future collaboration.

By contrast to alliances, coalitions are what might be termed 'partnerships of un equals' since comparative political, economic, and military might, or more particularly the extent to which a nation is prepared to commit, dictates who will lead, who is in the inner circle, and who will have influence. Coalitions generally occur as an unplanned reply to situations of danger, uncertainty, or supernatural events they are also non permanent integrations directed at interim objectives. In terms of participation coalitions are, by their nature, more of a "come as you are, wear what you want, leave when you want party".

8.3 FUNCTION OF COALITION SYSTEM

Coalitions branch into two expanding categories: internal coalitions and external coalitions. Internal coalitions consist of people who are already in an organization, such as a workplace. For example, the trade union is a

type of coalition which was formed in order to represent employees' wages, benefits, and working conditions. Without this unity between employees, workers were subjugated to harsh working environments and low pay due to no practical regulations. Often, organizations prefer to council with members of their respective internal coalitions before implementing changes at the workplace to ensure support.

In contrast, external coalitions consist of people that are members of different organizations who collaborate their efforts to achieve an overall objective. For example, in order to prevent gun violence and advocate gun control, several groups, unions, and non-profit organizations banded to form the Coalition to Stop Gun Violence. External coalitions base their confidence in gaining credibility on inviting unlikely partners who wish to attain the same end goal, but the reasons to achieve these goals differ.

8.4 COALITION GOVERNMENT AND POLITICS

Coalition government stands as an alternative model to majoritarian governance, the latter being characterized by winner-take-all "first-past-the-post" electoral systems that favour clear distinctions between winners and losers. Not only can coalitions of legislative groups form governments in parliamentary systems but they can form in divisions of power as well. The most usual analyses of coalitions in politics deal with the formation of multiparty cabinets in parliamentary regimes. In Germany, every administration has been a multiparty coalition since the conclusion of the Second World War, an example of a coalition government creation in a parliamentary government. When different winning coalitions can be formed in a parliament, the party composition of the government may depend on the bargaining power of each party and the presence, or not, of a dominant party.

The Cambridge Dictionary defines coalition as "the joining together of different political parties or groups for a particular purpose, usually for a limited time, or a government that is formed in this way".

International relations

The temporary collaboration of two or more separate parties with a set goal and common purpose can be viewed as a coalition in international relations. Coalition competitions are represented in international political dynamics. In international relations, a coalition can be an *ad hoc* grouping of nations united for specific purposes. Although persons and groups form coalitions for many and varied reasons, the most common purpose is to combat a common threat or to take supremacy of a certain time, resulting in the often temporary nature of coalitions. The common threat or existence of opportunity is what gives rise to the coalition and allows it to exist as all parties involved see the benefit in working together. Such collaborative processes allow the actors of the coalition to advance forward towards their overall goal or accomplish the task that the coalition was formed around. The behaviour and dynamics of a coalitions in international relations are created by commonalties and differences within the groups joining together. Rationality, group dynamics, and gender are all contributing factors of coalitional behaviours in an international security set-up.

Economics

Economic agents can form coalitions. When a coalition is formed around economic goals, the reasoning is financial. In economics, when two opposing sectors such as a buyer and seller, or two sellers, come together it can be thought of as a coalition, in the denotative sense, as the two groups come together temporarily to achieve a goal. One example would be the 1997 deal between Microsoft and Apple. The deal consisted of Microsoft rescuing the then struggling Apple with an infusion of \$150 million. Unions can be viewed as a coalitions of workers (usually of the same industrial sector). When the agents considered are countries, the formation of an international treaty (e.g. trade agreements or international environmental agreements) can also be seen as a coalition. In economics a coalition's formation and its stability is mostly studied with tools from game theory.

Civil society

In civil society, "coalition" connotes a group effort or a population of people coming together who believe strongly in their cause. The term also describes alliances between civil society organizations, such as labour unions, community organizations, and religious institutions. In France, for example, workers from different sectors and unions band together to aid each other in communicating a point. This coalition of unions is often very effective as it causes massive inconvenience to the country. The emergence of coalitions such as the Community-Labour Coalition have proven to be an important strategy for social change in many contexts. In social groups, a coalition often forms from private citizens uniting behind a common goal or purpose. Many of these private citizen groups form grassroots organizations, such as the Christian Coalition, which is the largest grassroots political group in America. Activist groups in civil society are also viewed as coalitions for their respective cause. These activists are joined together by their belief in what they hope to achieve or skilful.

Military

Military coalitions can be built and united under a singular power by multiple states and governments. They are fluid in terms of membership—not only does a country not have to have been a traditional ally to join a coalition, but nations can join, vary their endowment and caveats, withdraw, and be replaced by new members as the situation changes or national agendas change. The expansion of assets accessible to member nations to perform military operations is a crucial attribute of coalitions. In many ways, coalition warfare serves to make the crafting of a peace more difficult than the winning of the war itself. For an effectual example of such coalition happened during the Versailles Peace Conference in 1919 when the Allied powers attempted to reach a peace agreement.

Examples of military coalitions include the Coalition of the Gulf War, when George H. W. Bush ended Saddam Hussein's aggression in the Middle East by enlisting and leading a military coalition in the 1991 Gulf War's Operation Desert Storm as well as his son George W. Bush's efforts in the "Coalition of the Willing", a phrase employed during the

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2003 campaign for the war in Iraq led by the United States and its allies. A contemporary example is the United Nations coalition that intervened in the 2011 Libyan Civil War against Muammar Gaddafi. For coalitions to be effective in principle, let alone in action, participating nations have tended to require a single overpowering threat—perhaps to freedom or a way of life or a crucial national interest—or the presence of a single despotic figure or regime whose continued existence is considered not only abhorrent to the generalization of nations but also destabilizing to the region or world order.

Mathematics

In mathematics the term coalition is linked to an equation which uses the coalition model for exponential population growth. This analytical calculation was first published by mathematician Pierre François Verhulst in 1838 to allow for the approximation of the world's population at a given time by applying differential and integral method.

Check yourProgress-1

Note: i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss the formation of coalition system.

2. Discuss the function of coalition system.

8.5 CRITIQUE ON COALITION SYSTEM

Coalition governments are often criticised, for a number of valid reasons. I intend to address these later in this essay, however the main point of this essay, for me, is to state and explain why I believe coalitions work well as single-party governments. Upon thinking of how I would answer the question posed “Do Coalitions work well as single party governments?” a number of important points were brought to my attention straight away. They were both in favour and opposing coalitions and their ability to work well as single party governments. Throughout the course of this essay I will state the positive and negatives aspects of coalition governments. I will discuss these points based on research I have done and knowledge I have acquired. I will conclude by discussing the various rules associated with the electoral and party systems when forming coalition governments. I will focus my attention on Ireland and Denmark, by way of European examples.

A coalition government by definition is “A governing body formed by multiple parties who must compromise on principles” the question we must ask ourselves is If these parties do work well together as single party governments. Is there evidence to suggest that the merits of coalition governments outweigh the various policy compromises by individual parties within the coalition? In my opinion there are certainly various disadvantages of coalitions. They are often described as less effective, not as durable and even non-dependable when compared to other governments who have strict principles and ideology. Within Coalition governments Members of the Legislative Assembly and members of parliament are all handed portfolio’s/ministries and appointed as ministers. These ministers are appointed on the recommendations of the parent’s party without taking the qualification, character and criminal/clean record of the members of the legislative assembly and members of parliament. More often then not the number of ministers is so large that leaders run out of portfolios to give out. Sometimes there are ministers without portfolio’s or somewhat meaningless ones. An argument can also be made that a coalition governments may not always perform at their greatest capacity. “The biggest disadvantage of a coalition government is that the end product depicted is very unstable and vulnerable as the core element of the

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coalition has to keep up with all the promises made to its partners and do the impossible – make everyone happy with the platter offered to him or her”. This suggests that the government ends up compromising on policies in order to try and keep the electorate content.

Throughout my study I discovered that there were a number of arguments claiming the superiority of coalition governments. Coalition governments lead to more accordant politics meaning that a government with different ideologies would have to concur in regard to government policy. Another argument in favour of coalition governments suggests that it “Better reflects the popular opinion of the electorate within a country” (www.americanchronicle.com) I believe this is a valid and important argument in favour of coalitions as single party governments.

“Coalition Governments in Western Europe – Wolfgang C. Muller and Kaare Strom” describes Irish politics in the chapter “Ireland: From Single-Party to Coalition Rule” I found this chapter most interesting as it describes Ireland’s political journey over the last number of years. Wolfgang suggests, “Although the process of government formation had been heavily influenced by self-imposed behavioural constraints (most notably the changing attitudes of Fianna Fail and labour towards coalitions), institutional constraints have played a fairly small role in shaping coalition politics in Ireland, at least relative to some other European countries” the author goes on to state that Patterns of government formation have closely corresponded to what Laver and Schofield have describes as “freestyle bargaining between elites” I find this most interesting as it suggests that rules and regulations have had little to do with shaping coalitions in Ireland.

I also found it interesting to note that Wolfgang suggests that an “Institutional rule that significantly structures coalition politics” is in fact: the nature of the electoral system” the “Single Transferable Vote electoral system” encourages voters to “rank-order candidates (and thus, parties) rewards cooperative electoral strategies. Here the author suggests that before the election there is a “coalition formation phase” due to the fact leaders have to transfer their lower preference votes to the most likely prospective coalition partners. This institutional influence in

Ireland means that transfers can “make or break a prospective coalition” An example of such an institutional constraint can be taken from the 1983-1987 period when a coalition existed between Fine Gael and Labour, these parties always transferred to at rates of 60-70 per cent. In 1987, following the collapse of the Fine Gael-Labour coalition, voters that supported the parties were loyal to their individual parties and went their separate ways, transfers then fell to 30 per cent each way.

Other institutional influences behind coalition governments in Ireland include can be examined when we look at coalition formation. When compared to other countries coalition formation in Ireland is a “relatively unstructured process in which party leaders engage in freestyle bargaining.” There are no recognition rules and nobody is actually designated to lead or chair the negotiations between the parties.

Another European country I studied when preparing for this essay is Denmark I found it most interesting to note that there were no single party parliamentary majorities in Denmark since the first decade of the twentieth century. “Some kind of inter-party cooperation is therefore required for decision making in legislative and governmental affairs.” It was also brought to my attention that majority coalition governments in the post-war period have been the exception not the rule, most of these have been minority type (Thomas 1982) these minority governments were coalitions since the early 1980’s however before this they were mostly single-party governments.

Various rules on the formation and termination of governments are interesting in Denmark. The monarch appoints the prime minister and other ministers. The King and Queen also decide on the amount of ministers and their portfolios besides this there are in fact no other rules on how a government is to be formed. However “The constitution clearly states that no minister can remain in office if he or she has received a motion of no confidence passed by the Folketing (parliament). Should a no confidence motion concern a prime minister the government must resign or hold call an election.

I also studied the area of electoral performance in Denmark and found it interesting to note that statistics show that governing parties usually

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loose votes in elections, I also realised that Danish majority coalitions do not survive elections. It is useful to note also that all the participating parties never get rewarded at the same time. The election result may have appeared to go against this but the parties had in fact already terminated before the election.

It can be argued that coalitions aren't very stable and often collapse and that they are unable to take a long-term view of proceedings within a country. It can be argued that parties with little following can in fact impose their policy upon the majority by a process of "political blackmail" e.g. "the role of religious parties in Israel, the Greens in Germany and France, and the demand of constitutional reforms by the Lib Dems in the UK as their price of coalition support in the 2010 hung parliament."

I believe the positives of coalition governments outweigh the negatives by a long shot. I believe it is fair to suggest that coalition governments create a more authentic and compelling political system. Coalitions are beneficial as the choices they make represent the majority in society. Issues will be debated on and thoroughly tested before any decision is made. In contrast single-party governments may be guilty of imposing bad policies that aren't well structured or thought out. "When difficult or historic decisions have to be taken, for example in wartime over membership of the European Union or NATO, or on the scale of spending cuts needed to deal with the UK's budget deficit the consent of politicians representing a wide range of interests and opinion is important in committing the country and its people to difficult but necessary courses of action".

Coalition is good for ensuring no party is in power for too long and therefore no "adversarial political culture" develops as we see happening in countries where coalition governments do not occur frequently. If an alteration does occur the new government is often inexperienced and unaware of the best course of action to take a "wholesale reversal" of the previous regime's policies is often what happens this is obviously not a positive outcome. More often than not ministers from the previous government will have considerably more experience. "A more

consensual style of politics also allows for a more gradual and constructive shift of policy between administrations”.

All in all it is clear there are many pros and cons of a coalition working as a single party government in a country, in my opinion the merits of a coalition certainly outweigh the negative aspects of two or more parties working as a single-party government. I believe I have backed up my view throughout the essay and have provided relevant points to support the argument I have made.

8.6 COMPETITIVE COALITION

In this study, we argue that political communication is an important instrument through which coalition parties can accommodate both imperatives. Governing in coalitions often involves compromise as coalition partners have different policy goals. Coalition parties therefore frequently adopt legislation that accommodate the demands of their partners, but which are not necessarily in line with what voters expect from them. It is therefore important that coalition parties communicate directly with their voters in order to justify their legislative activities and to differentiate themselves from their coalition partner. Political communication constitutes an important channel through which coalition partners can directly communicate their policy priorities to their voters without being constrained by parliamentary rules or their coalition partner (Grimmer, 2013). Coalition parties choose independently what to communicate and when to communicate it which makes political communication an important instrument of party competition.

8.6.1 The Electoral Imperative

What strategy do political parties pursue in order to obtain control over political offices? Theories of party competition have largely been dominated by positional theories such as The Downsian Proximity model (Downs, 1957) or the directional model (Rabinowitz and Macdonald, 1989). These theories suggest that parties seek to maximize the number of votes by adjusting their policy positions in response to the preference

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configuration of voters on certain policy issues. Changing policy positions may, however, be difficult as parties are constrained by their ideology, their reputation and intra-party factors (Meyer, 2013).

Agenda-setting scholars by contrast argue that political parties compete with each other by campaigning on different policy issues (Jones and Baumgartner, 2005; Green-Pedersen and Mortensen, 2014). The literature on communication refers to this strategy as “priming” certain issues in order to change the importance given to policy issues in political decisions (Iyengar and Kinder, 1987). Similarly, Riker (1993) argues that campaign messages are not designed to engage in a discussion with opposition parties, but to increase the salience of policy issues on which a party is perceived as credible.

Saliency theory applies this thought explicitly to party competition (Budge and Farlie, 1983; Budge, 1993). The central idea is that parties compete with each other by emphasizing different policy priorities rather than by directly opposing each other on the same issues.

Saliency theory argues that parties can gain advantages by selectively highlighting favourable issues irrespective of what position they have on these issues. Political parties prime voters to consider policy issues as important for their vote choice on which they have an advantage. We accordingly argue that winning elections is primarily about selectively highlighting political issues on which political parties can mobilize voters. Political parties seek to influence the campaign agenda by highlighting policy issues that promote their strengths and by avoiding policy issues on which their competitors have an advantage. We therefore expect that political parties engage in selective issue emphasis to increase the salience of favourable policy issues. For instance, a left-wing party may choose to focus on social welfare issues in an election campaign whereas a liberal party may choose to focus on the economy or on civil rights.

8.6.2 The coalition imperative

However, while political parties can independently choose their issue priorities in election campaigns, they are constrained in their selective issue emphasis once they enter a coalition government. Unlike in single

party governments where political parties can independently make decisions, coalition governments require coordination and compromise among coalition parties. Jones and Baumgartner (2005) have referred to this coordination requirement as institutional friction caused by proportional electoral systems. Governments in these political systems cannot single-handedly promote policy change, but are constrained by multiparty governing coalitions. In many parliamentary systems in particular those with proportional representation, none of the political parties is able to win a majority of the seats in the legislature. In such situations, coalition governments consisting of at least two different parties have typically been formed to avoid the transaction costs, the uncertainty and the instability of minority governments. Political parties that join a coalition government sacrifice their independence for the sake of controlling political office. Coalition governments are not intrinsically valued, but they constitute a means for office-seeking parties to obtain ministry portfolios. Research on coalition governance has pointed at the difficulties of governing together in coalition cabinets. Coalition parties typically have diverging policy preferences and issue priorities that need to be reconciled. For instance, when the coalition government between the German CDU/CSU and the FDP was formed in 2009, the FDP first called for a grand tax reform which was its major policy priority that it advocated for throughout the election campaign. However, the CDU/CSU fundamentally opposed such a large scale reform of the German tax system and it was therefore never enacted. After initially pushing for the reform and differentiating from the CDU/CSU on this policy issue, the FDP later gave in for the sake of maintaining the government even though it implied considerable reputation and electoral costs. Thus, coalition parties cannot independently promote their own policy priorities, but they have to agree on a common agenda. In order to overcome policy disagreements within a cabinet, coalition parties frequently employ control mechanisms such as coalition agreements, junior ministers or parliamentary committees to keep their coalition partners inline .Accordingly, Baumgartner and Jones (1993) argue that issue attention cannot be understood by only focusing on one single stage of decision-making as policy-making consists of different stages. If policy issues do not rise on the agenda of a coalition party it may not be

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caused by the party's unwillingness to deal with the issue, but by opposition from the coalition partner during the government formation stage in which coalition parties negotiated their common policy priorities. Hence, an important precondition for the functioning and the survival of a coalition government is unity (Martin and Vanberg, 2008, 2011). Successful governance requires compromise. Once political parties entered a coalition government they have to coordinate their activities with their coalition partner. Parties are not able to single-handedly make political decisions, but they need to consult their coalition partner in order not to risk the break of the government (Warwick, 1994; Lupia and Strom, 1995). The benefits of cooperation are greater than the benefits of differentiation as government stability ensures control over political offices. Office-seeking parties therefore have an incentive to maintain the coalition in order to avoid the loss of executive posts. Instead of focusing on their own policy priorities, coalition parties therefore deal with issues that are supported by all coalition members in order to demonstrate unity and to maintain the stability of the cabinet.

8.6.3 The electoral cycle

Coalition parties are therefore torn between two different imperatives. On the one hand, they have to selectively prioritize policy issues on which they have an advantage in order to mobilize voters. On the other hand, they have to coordinate with their coalition partners that typically have diverging policy priorities which requires compromise between coalition parties. How can we explain which of these forces prevails? Our central argument is that the stage of the electoral cycle explains whether differentiation or unity prevails. The time the government has available until the next election is a major factor that shapes the behaviour of coalition parties as the cost-benefit calculation considerably changes over the life-time of a coalition (Lupia and Strom, 1995).

At the beginning of the legislative term, political parties have just come out of an electoral race in which they have competed against each other for votes. Political parties have run a carefully designed election campaign in which they selectively focused on policy issues on which they have an advantage to mobilize voters. We expect that the issue

differentiation between political parties which characterized the election campaign continues for a while even after the election took place for the following reasons. First, political parties cannot change their policy activities from one day to the next. After campaigning on specific policy issues for several months, they cannot simply abandon these issues as this would considerably disappoint voters and decrease their credibility. Second, political parties make several election promises to voters during the electoral campaign. After the election, coalition parties have an incentive to signal compliance with their commitments to voters by enacting their election promises right at the beginning of the term as media attention and public monitoring is still high at this stage. Accordingly, empirical research on pledge fulfilment finds a cyclical effect according to which coalition parties enact their pledges primarily at the beginning of the term. Third, after running in elections alone, political parties have to get used to governing together with a partner. There is therefore a learning effect as coalition parties have to adapt to the new situation in which they have to coordinate their activities with at least one other party. Hence, we argue that the beginning of the legislative term is characterized by considerable differentiation between coalition parties.

However, after an initial period of focusing on different issues which might have caused problems and conflicts within the cabinet, coalition parties settle on a common issue agenda to effectively govern together and ensure the stability of the government. Coalition parties avoid disagreement in order to strengthen and maintain the coalition to secure the political offices they control. The survival of the government is a precondition for maintaining their political offices and office-seeking coalition parties therefore have strong incentives to avoid any activities that risk the break of the government. Control mechanisms are in place which allow coalition partners to closely monitor their partners and keep them on track. Coalition parties therefore prioritize policy issues that are supported by all members of the coalition while avoiding issues on which they disagree. Since the benefits of cooperation outweigh its costs, coalition parties focus on a common issue agenda. Thus, in order to maintain the stability of the coalition, all partners talk about the same uncontroversial issues in the middle of the term when they enact a

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common legislative agenda. At the end of the legislative term, coalition parties look ahead and are primarily concerned about re-election to secure political offices in the next legislative term (Lupia and Strom, 1995). The imperative to demonstrate unity will be replaced by an imperative to gain re-election. Given that coalition parties suffer from the problem that differences between them are not perceived by voters (Fortuna and Stevenson, 2013), coalition parties adjust their issue priorities to clearly differentiate from their partners. Rather than talking about the same unifying issues, they differentiate from their partners to highlight their own policy profile. Coalition parties therefore abandon policy issues on which they previously worked together and focus on favourable policy issues that separate them from other competitors. They attempt to mobilize voters by directing the public debate towards policy issues on which they are perceived as being more competent than their opponents. The costs of cooperation become larger than its benefits as there are only a few months left in the current government and coalition parties would risk their re-election by not differentiating themselves from their coalition partner (Lupia and Storm, 1995). For instance, Wolfgang Kubicki, one of the FDP leaders commented a few days after the Bundestag election in 2013 when the FDP was voted out of the parliament that “coalition parties only win elections if they differentiate from their coalition partner” and that “the FDP should not have collaborated so much with the coalition partner”.² What is more, coalition parties can more easily promote their own issue priorities as their partners are less likely to use control mechanisms towards the end of the electoral cycle. In conclusion, we expect that the political communication strategies of coalition parties change over the course of the electoral cycle. In order to win elections, political parties electively highlight policy issues on which they have an electoral advantage. However, when parties entered a coalition government, they cannot independently select their issue focus, but they have to coordinate with their coalition partner. In order to effectively govern together and not to risk the break of the government, coalition parties need to compromise and agree on a common agenda. However, such coordination is costly as coalition parties cannot highlight their particular policy profile to attract voters. Coalition parties therefore have to reconcile the tension between

maintaining their own profile and demonstrating unity with their coalition partner. We expect that the stage of the electoral cycle determines what coalition parties communicate to their voters. More specifically, we hypothesize that diversity in issue attention among coalition partners follows a u-shaped form. While differentiation prevails at the beginning and the end of the legislative term in close proximity to elections, compromise dominates the middle of the term when coalition governments focus on enacting common policy agenda.

Check yourProgress-2

Note: I) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

3. Write a short note on coalition government and politics.

4. Discuss the electoral cycle of coalition system.

8.7 LET US SUM UP

By contrast to alliances, coalitions are what might be termed ‘partnerships of unequal’s since comparative political, economic, and military might, or more particularly the extent to which a nation is prepared to commit, dictates who will lead, who is in the inner circle, and who will have influence. Coalitions generally occur as an unplanned reply to situations of danger, uncertainty, or supernatural events they are also no permanent integrations directed at interim objectives. In terms of participation coalitions are, by their nature, more of a "come as you are, wear what you want, leave when you want party”. Coalitions branch into two expanding categories: internal coalitions and external coalitions. Internal coalitions consist of people who are already in an organization, such as a workplace. For example, the trade union is a type of coalition which was formed in order to represent employees' wages, benefits, and

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working conditions. Coalition government stands as an alternative model to majoritarian governance, the latter being characterized by winner-take-all "first-past-the-post" electoral systems that favour clear distinctions between winners and losers. Not only can coalitions of legislative groups form governments in parliamentary systems but they can form in divisions of power as well. In this study, we argue that political communication is an important instrument through which coalition parties can accommodate both imperatives. Governing in coalitions often involves compromise as coalition partners have different policy goals.

8.8 KEYWORDS

- Coalition system: The Cambridge Dictionary defines coalition as "the joining together of different political parties or groups for a particular purpose, usually for a limited time, or a government that is formed in this way".
- Competitive coalition: In this study, we argue that political communication is an important instrument through which coalition parties can accommodate both imperatives.

8.9 QUESTIONS FOR REVIEW

1. Discuss the formation of coalition system.
2. Discuss the function of coalition system.
3. Write a short note on coalition government and politics.
4. Discuss the electoral cycle of coalition system.

8.10 SUGGESTED READINGS AND REFERENCES

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8.11 ANSWERS TO CHECK YOUR PROGRESS

1. According to *A Guide for Political Parties* published by National Democratic Institute and The Oslo Center for Peace and Human Rights, there are five steps of coalition-building:

- **Developing a party strategy:** The first step in coalition-building involves developing a party strategy that will lay the ground for successful negotiation. The more effort parties place on this step, the more likely they are to identify strategic partners, negotiate a good deal and avoid some of the common pitfalls associated with coalition-building.
- **Negotiating a coalition:** Based on the strategy that each party has prepared, in Step 2 the parties come together to negotiate and hopefully reach agreement on the terms for the coalition. Depending on the context and objectives of the coalition, these negotiations may be completely secret or partially public. While some issues may be agreed on with relative ease, others may be more contentious and require different approaches to reach compromise.
- **Getting started:** As negotiation begins to wrap-up, the agreement between political parties needs to be formally sealed.

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This includes finalizing a written agreement, securing formal approval of the deal from the relevant structures of the coalition's member parties and announcing the coalition details to the general public.

- **Working in a coalition:** As the coalition partners begin working to implement their agreement, they will need to maintain good relations by continuing efforts to increase or sustain trust and communication among the member parties. Each party will also need to strike a balance between respecting its obligations to the coalition and maintaining its individual identity.
- **Drawing lessons learned:** Regardless of whether it plans to move forward alone or in another coalition, it is important for each party to review and document lessons learned from each coalition-building experience. This will make it possible to get a clearer picture of the positive and negative impacts of coalition-building on the party and to identify lessons learned that can inform any future coalition-building efforts.

2. Coalitions branch into two expanding categories: internal coalitions and external coalitions. Internal coalitions consist of people who are already in an organization, such as a workplace. For example, the trade union is a type of coalition which was formed in order to represent employees' wages, benefits, and working conditions. Without this unity between employees, workers were subjugated to harsh working environments and low pay due to no practical regulations. Often, organizations prefer to council with members of their respective internal coalitions before implementing changes at the workplace to ensure support.

In contrast, external coalitions consist of people that are members of different organizations who collaborate their efforts to achieve an overall objective. For example, in order to prevent gun violence and advocate gun control, several groups, unions, and non-profit organizations banded to form the Coalition to Stop Gun Violence.

3. Coalition government stands as an alternative model to majoritarian governance, the latter being characterized by winner-take-all "first-past-

the-post" electoral systems that favour clear distinctions between winners and losers. Not only can coalitions of legislative groups form governments in parliamentary systems but they can form in divisions of power as well.

International relations

The temporary collaboration of two or more separate parties with a set goal and common purpose can be viewed as a coalition in international relations. Coalition competitions are represented in international political dynamics. In international relations, a coalition can be an ad hoc grouping of nations united for specific purposes. Although persons and groups form coalitions for many and varied reasons, the most common purpose is to combat a common threat or to take advantage of a certain opportunity, resulting in the often temporary nature of coalitions.

Civil society

In civil society, "coalition" connotes a group effort or a population of people coming together who believe strongly in their cause. The term also describes alliances between civil society organizations, such as labour unions, community organizations, and religious institutions. In France, for example, workers from different sectors and unions band together to aid each other in communicating a point. This coalition of unions is often very effective as it causes massive inconvenience to the country. The formation of coalitions such as the Community-Labour Coalition have proven to be an important strategy for social change in many contexts

Military

Military coalitions can be built and united under a singular power by multiple states and governments. They are fluid in terms of membership—not only does a country not have to have been a traditional ally to join a coalition, but nations can join, vary their contributions and caveats, withdraw, and be replaced by new members as the situation changes or national agendas change.

4. The electoral cycle

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Coalition parties are therefore torn between two different imperatives. On the one hand they have to selectively prioritize policy issues on which they have an advantage in order to mobilize voters. On the other hand, they have to coordinate with their coalition partners that typically have diverging policy priorities which requires compromise between coalition parties. How can we explain which of these forces prevails? Our central argument is that the stage of the electoral cycle explains whether differentiation or unity prevails. The time the government has available until the next election is a major factor that shapes the behaviour of coalition parties as the cost-benefit calculation considerably changes over the life-time of a coalition (Lupia and Strom, 1995).

At the beginning of the legislative term, political parties have just come out of an electoral race in which they have competed against each other for votes. Political parties have run a carefully designed election campaign in which they selectively focused on policy issues on which they have an advantage to mobilize voters. We expect that the issue differentiation between political parties which characterized the election campaign continues for a while even after the election took place for the following reasons. First, political parties cannot change their policy activities from one day to the next. After campaigning on specific policy issues for several months, they cannot simply abandon these issues as this would considerably disappoint voters and decrease their credibility. Second, political parties make several election promises to voters during the electoral campaign. After the election, coalition parties have an incentive to signal compliance with their commitments to voters by enacting their election promises right at the beginning of the term as media attention and public monitoring is still high at this stage. Accordingly, empirical research on pledge fulfilment finds a cyclical effect according to which coalition parties enact their pledges primarily at the beginning of the term. Third, after running in elections alone, political parties have to get used to governing together with a partner. There is therefore a learning effect as coalition parties have to adapt to the new situation in which they have to coordinate their activities with at least one other party.

UNIT- 9: CAST, CLASS, RELIGION, GENDER AND REGION IN ELECTORAL POLITICS

STRUCTURE

9.0 Objectives

9.1 Introduction

9.2 Role of elections of Indian democracy

9.3 The role of caste

9.3.1 Sub topic1 cast as a determinant of electoral behaviour

9.4 Playing the religion card

9.5 Caste and religion influence of electoral politics

9.6 Caste, religion and ethnicity in Indian politics

9.7 Indian middle classes and electoral politics

9.8 Let us sum up

9.10 Keywords

9.11 Questions For Review

9.12 Suggested Readings And References

9.13 Answers To Check Your Progress

9.0 OBJECTIVES

After studying this unit, you should be able to:

- learn about the role of caste
- learn about the religion card
- learn about caste, religion and ethnicity in Indian electoral politics

9.1 INTRODUCTION

Elections in India, the world's second-most populous country, evoke descriptions like 'spectacle' or 'carnival,' in part due to the

overwhelming numbers that participate in the process. In this country of over a billion people, 714 million voters will decide who rules the world's largest democracy for the next five years. In the 2004 elections, over 5,400 candidates from 230 political parties participated. Nearly the same number of candidates will compete for seats in parliament in 2009. Electoral candidates vie for votes by promising reforms, such as better governance, greater socioeconomic equity, and bolstered efforts at poverty alleviation. However, corrupt politicians with criminal records, caste- and religion-based politics, and allegations of vote-buying continue to mar the democratic process. Meanwhile, the coalition politics of the last two decades, while more inclusive, have resulted in giving outsized power to small parties that have used it to further their short-term agendas. Indian historian Ramachandra Guha, in the book *India after Gandhi*, argues the country is only "50 percent a democracy," holding viable elections, but falling short when it comes to "the functioning of politicians and political institutions."

9.2 ROLE OF ELECTIONS IN DEMOCRACY

Nowadays, elections have emerged as an instrument of choice all over the democratic world.

Elections serve as the basic mechanism for both electing and replacing ruling elites and for providing a regular and systematic succession in government. They help to determine how a country is governed and at the same time select who will exercise state power. Elections are also the principal mechanisms by which citizens hold governments accountable, both retrospectively for their policies and more generally for the manner in which they govern. Elections reinforce party activities and intensify political awareness of the people. They educate voters and grant legitimacy to government. Although elections are considered as one of the core institutions in democratic politics, their misuse is not uncommon. Elections produce different outcomes in different systems of government. Leaders of all kinds, from military dictators to civilian

autocrats, recognise the power and importance of elections in obtaining legitimacy to govern. Military or civilian leaders willing to run the country through undemocratic means, use elections as a tool for their continuation in power. These leaders make major efforts to manipulate elections. However, in spite of all the shortcomings and inconsistencies of an electoral system, election can decide important matters in any polity. Only elections establish that legitimate political power flows from below. Elections, then, are essential for democracy, but only when they are free and fair and devoid of irregularities and malpractices. Electoral malpractices not only negate the voting right of the people but also hamper the effort to institutionalise democracy. Electoral corruption is a major type of political corruption. It thrives in a society in which the degree of political and administrative morality is low. The necessity of a transparent electoral system is one of the most important prerequisites for present day democratic practice in both developed and developing countries. Electoral corruption negatively influences the consolidation of democracy. Governments, claiming to be democratic, manipulate elections to cling to power. Electoral malpractices are the main source of misunderstanding between the ruling and opposition parties in many states and have often led to political crisis. In India, Jammu and Kashmir is the classic example in this regard.

9.3 THE ROLE OF CASTE

Caste has influenced the policy-making of the government, for example the policy of reservation in favour of certain castes. The programmes, policies and declarations of political parties are made, keeping in view the caste factor. Even different positions within a political party are distributed in terms of caste configurations. Caste plays a very important role in elections and voting. Political parties select their candidates on the basis of caste composition in the constituency. The voting in elections and mobilization of political support from top to bottom moves on the caste lines. The caste factor also influences the formation of the council of ministers and making appointments to various political positions in the government. Caste also functions, as a pressure group in politics.

Political bargaining is also done on the caste lines. Caste organizations have emerged to organize caste members for collective bargaining with each other. The administration has not escaped the influence of the caste in India. The postings, transfers and appointments of public officials are influenced by caste considerations. Even the behaviour of public officials in carrying out administrative duties gets influenced by caste considerations. The political leadership in many political parties emerges and survives in politics on the basis of the support of certain caste groups. There are many political experts who consider the increasing influence of caste in politics as a negative tendency, not helpful in the development of democracy.

9.3.1 Caste as a Determinant of Electoral Behaviour

Caste has always played a decisive role in the electoral politics in India. While the higher caste Brahmins, Bhumihars, Rajputs have dominated the politics of several parts of India, the middlecastes like Jats, Marathas, Reddies, Kammas, Vokkaliggas, etc., emerged powerful caste groups as a result of land reforms and Green Revolution. In the recent past even dalits, especially in North India have become an important and decisive caste group. The rise of the Bahujan Samaj Party in Uttar Pradesh is the most important example of increasing role of dalits. The caste groups, have come to known as the “vote banks” of political parties in the light of their support to the parties. Caste loyalties are to be exploited by the respective caste elites for their class interests. At the time of elections when it becomes more a question of number game, the caste groups seek to mobilise the support of not merely their own caste members but also those of others. Caste plays its role both in both ways --- in the unorganised way and in the form of caste association caste. According to some scholars caste plays a secular role in Indian democracy. It has absorbed and synthesised some of the new democratic values, and has lost its ritual significance. In the democratic process caste affects the democracy and gets itself affected in turn. Rudolph and Rudolph say that there are three types of mobilisation on the basis of caste: vertical, horizontal and differential. Vertical mobilisation is the marshalling of the

political support by traditional notables in local societies that are organised and integrated by rank, mutual dependence and the legitimacy of traditional authority. Horizontal mobilisation involves the marshalling of political support by class or community leaders and their specialised organisations. Differential mobilisation involves the marshalling of direct or indirect political support by political parties and other integrative structures from viable but internally differentiated communities through parallel appeals to ideology, sentiment and interest. Even the communists in India used caste idioms for mobilising the class of agricultural labourers in Andhra Pradesh, on the ground of caste-class correspondence. The functioning of the various political parties proves the vital role of the caste. In the selection of the candidates, formulation of campaign strategies and mobilisation of votes on the basis of caste show that political parties show the significance of caste in political mobilisation. The coming together of various middle and lower castes on the basis of the common interest of the peasantry class has helped the communist to further consolidate themselves.

9.4 PLAYING THE RELIGION CARD

Many Indian historians date religion's role in Indian politics back to the colonial period and the 1909 British policy of establishing separate electorates based on religion. However, in the 1980s, several events worked to bring religion to the forefront of electoral politics, say experts: rising Sikh fundamentalism followed by anti-Sikh riots after the 1984 assassination of Prime Minister Indira Gandhi; Prime Minister Rajiv Gandhi's decision to support legislation that overturned a 1985 Supreme Court judgment to grant alimony to a Muslim woman, seen by many as surrender to Muslim orthodoxy in an election year; and the rise of the BJP and its call to destroy the Babri mosque in Ayodhya. The dispute in Kashmir and several bloody Hindu-Muslim flare-ups in the last two decades have further divided people along religious lines.

Today, both the Hindus and the country's 170 million Muslims, the largest minority group, are courted energetically by political parties. "Religion is part and parcel of Indian political life," says Sumit Ganguly,

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a professor of political science at Indiana University. He says the BJP is the principal offender with its Hindutva agenda. But Congress is not free of culpability either, he argues. Regional actors such as Maharashtra's Shiv Sena further exploit religion to court voters. Ganguly says lack of leadership in upper echelons of the Muslim community exacerbates the problem.

The Indian electorate has turned the standard law of political involvement on its head.

While it is clear that religion plays a significant role, it is less clear how it translates into voting behaviour. "Politically speaking, there is no single unified Muslim community in India," writes Yogendra Yadav (BBC), a political scientist who designed and coordinated the National Election Studies, the largest series of academic surveys of the Indian electorate, from 1996 to 2004. He argues that "Muslims are fragmented along the lines of religion, sect, caste, and community." Ganguly says economic issues are also intertwined with issues of religion and caste. Indian Muslims, who awareness of high poverty rates, voted for Congress for decades because of its secular platform and promised reforms. Unlike most minorities in most democracies around the world, Indian Muslims, Yadav says, have not voted for Muslim parties. Nor do they vote en bloc, "like, say, the black vote in the United States for the Democratic Party or the UK's ethnic minorities who largely vote for the Labour Party," he says.

Check your Progress-1

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss the role of caste.

2. Discuss the religion card in politics.

9.5 CASTE, GENDER AND RELIGION INFLUENCE OF ELECTORAL POLITICS

It is often said that in politics nothing happens by accident. To garner votes, politicians use every arrow in their quiver. Some bases on which they deploy vote bank tactics are gender, religion and even caste. Let us see how all these factors play a big role in politics.

Gender and Politics

There is never any doubt that men and women are different on the basis of biology. And this differentiation also carries through to our society as various stereotypes. But one field which is often ignored when it comes to gender bias is that of politics. In the current political scenario of the world, and especially of India women are very poorly appear for.

The problem really stems from the role women play in India's patriarchal society. Education of women is not a priority for most families in India. Their role is considered to be of household work and raising children. This is unpaid invisible work, and our society is a culprit of ignoring this work that women do.

Woefully, due to this perception of women, the participation of women in politics of the country also suffers. Did you know that the number of women in the central government crossed the barrier of 10% representation for the first time in 2009? Even today contrast to other developing countries of the world, India's gender gap in politics is one of the worst in the world.

Steps have been taken to remedy the condition. In our lower level of governments, i.e. the panchayats and the municipalities there is a reservation of one-third seats for women. This ensures that women have their representative and a chance of their voices being heard. But the same requires to be done at the state and central levels. A bill proposing this has been pending for almost a decade.

Religion and Politics

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The Indian Constitution very audibly states that India does not have an official religion. We are a “secular state”. People of all religions in India have the right to practice any religion they may choose. And there can be no discrimination based on these rights. But in reality, religion plays a huge part in Indian politics.

It starts with the idea of Communalism. The idea behind communalism is that one religion or ethnic group will consider itself superior to another. And the members of this religion will always align with their own party, rather than think about the wider society. As you can imagine this feeling of communalism perpetuates easily.

Ever since the introduction of political parties in our country, this communalism has been exploited to gain political power. For them, it is a way to gather votes on the basis of religion. And more often than not they bring up the issues of majority versus minority religions, to stoke the fires of communalism. This creates separation among the people, rather than a uniting spirit.

Surprisingly forming a political party on the religion or caste is not illegal in India. Freedom to practice any religion gives them the right to assemble such groups and parties. But in the name of protecting the interests of their members, at times these parties spread intolerance and communal bias. And we as alert citizens should not fall into this trap.

Caste and Politics

Just like religion, caste too plays a big part in Indian politics. But this aspect is actually quite unique to our country. Nowhere else in the world is caste and castes so deeply embedded in the society and politics of a country.

Our caste system, which has prevailed since the ancient times, was so rigid and widespread it has been difficult to eradicate it completely. We have made progress due to urbanization and modernization, but we have not been successful in eradicating it completely. While it is almost non-existent in major cities now, the caste system still somewhat prevails in villages and towns.

Political parties take advantage of the fact that people from one caste tend to vote alike. They choose a candidate based on his caste rather than his qualifications. You will notice during an election, if the demographic is largely comprised of people from one particular caste, all political parties will field candidates from the same caste. This could be at the expense of more qualified candidates.

One positive effect of this has been that people from the so-called lower caste or suppressed caste now have a voice at the policy level. They have representatives from among their own, who understand their struggles and problems. Because these people and their votes are important to the political parties, they finally have a say in our countries politics.

Caste and politics also have a reverse effect. Politics also affects caste in our country. One major change it has brought about is that many smaller castes and sub-castes unite for political reasons. They realize that they will have strength in numbers, and form alliances within themselves. There is also a further segregation happening according to political powers enjoyed by the group. We often see tags attached such as backward caste groups or forward class groups.

9.6 CASTE, RELIGION AND ETHNICITY IN INDIAN ELECTORAL POLITICS

India is pigeonholed by more ethnic and religious groups as compared to other countries of the world. Many intellectuals viewed that India is a captivating country where people of many different communities and religions live together in harmony. Indian Population is polygenetic and is an astonishing merger of various races and cultures. Besides, numerous castes, there are eight "major" religions, 15-odd languages spoken in various dialects and a substantial number of tribes and sects.

Politics is the science of government and that part of ethics which has to do with the regulation and government of a nation or state, the preservation of its safety, peace, and prosperity, the defence of its existence and rights against foreign control or conquest, the

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augmentation of its strength and resources, and the protection of its citizens in their rights, with the preservation and improvement of their morals.

Politics as a notion generally applied to the art or science of running governmental or state affairs, including behaviour within civil governments, but also applies to institutions, fields, and special interest groups such as the corporate, academic, and religious segments of society. It consists of "social relations involving authority or power" and to the methods and tactics used to formulate and apply policy. Modern political discourse focuses on democracy and the relationship between people and politics. It is thought of as the way people choose government officials and make decisions about public policy.

All over the world, the political processes have ascended out of social environment. Tribes, clans, castes, classes have existed around a social organization. Economy, polity, religion, family and kinship networks have operated under a social structure. Famous philosopher asserted that man is a political animal. He had in mind the social element. When elaborating the Indian society, it is multi-ethnic as well as multi-religious. Indian religions are pantheistic in which the nature is visualized as a manifestation of theology. There is an immense significance of Politics in India such as to run the country more efficiently, to manage the country with good rules and norms, to look in the internal affairs about the development of the country, to represent the country to the outside world, to issue different policies for the country.

Caste:

In contemporary Indian scenario, caste mobilisation has become an important factor in determining Indian politics. According to Risley Caste, is a collection of families bearing a common name, claiming a common descent from a mythical ancestor, divine or human and professing to follow same hereditary calling and regarded by those who are competent to give an opinion as forming a single homogenous community. It is described caste as localized group having a traditional association based on one's birth in a caste, though at times associated with particular occupation (N.D. Arora, 2010). Caste, through a joint

effort of its members to assert themselves, has presently intervened in both politics and administration mainly through franchise and institutions like Panchayati Raj. Whether it is the factionalism of Indian political parties or the nomination of candidates and the mode of election campaign, most things can be explained through caste interests and caste balance.

Ideally, caste and democratic political system signify opposite value systems. Caste is hierarchical. Status of an individual in caste-oriented social system is determined by birth. It has religious sanction by various holy texts, reinforced by priests and rituals. Conventionally, upper castes had been given certain privileges not only in religious area but also in economic, education and political spheres. Customary laws differentiate individual by birth and sex. That is, certain rules are austere to women and Shudras and soft to males and Brahmins. Conversely, democratic political system backs freedom to an individual and equality of status. It stands for rule of Law. No one regardless of status is above law. Indian democratic system under the Constitution stands for liberty, equality and fraternity among all citizens. It struggles to build egalitarian social order. There are three consequences of such interaction between caste associations and political parties. One, caste members particularly poor and marginalized who were previously remained untouched by the political processes got politicized and began to participate in electoral politics with an expectation that their interests would be served. Secondly, caste members get split among various political parties weakening hold of the caste. Lastly, numerically large castes get representation in decision-making bodies and strength of the traditionally dominant castes get weaken. This explains the rise of middle and backward caste representations in most of the state assemblies.

The link between caste and politics has been analysed at two levels:

1. How caste affects politics.
2. How politics affects caste.

The interest and mindfulness of various castes in politics may be studied in terms of four factors: interest of castes in politics, political knowledge

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and political awareness of castes, identification of castes with political parties, and influence of castes on political affairs. Rajni Kothari (1970) scrutinized the relationship between caste and politics through evaluating the issue as to what happens to political system because of the vote of castes. He found that three factors such as education, government patronage, and slowly expanding franchise have entered the caste system because of which caste system has come to affect democratic politics in the country. Economic opportunity, administrative patronage, and positions of power offered by the new institutions and the new leadership drew castes into politics. This involvement (of castes in politics) resulted in two things: the caste system made available to the leadership the structural and the ideological basis for political mobilisation, and leadership was enforced to make concessions to local opinion and organise castes for economic and political purposes.

The caste system, which is based on the philosophies of purity and pollution, hierarchy and difference, has despite social mobility, been overbearing towards the Shudras and the outcastes who suffered the disgrace of ritual impurity and lived in abject poverty, illiteracy and denial of political power. The basis of confrontational identity politics based on caste may be said to have its origin on the issue of providing the oppressed caste groups with state support in the form of protective discrimination. This group identity based on caste that has been reinforced by the advent of political consciousness around caste identities is institutionalised by the caste-based political parties that acknowledge to uphold and protect the interests of specific identities including the castes. Subsequently, political parties have the upper caste dominated BJP, the lower caste dominated BSP (Bhaujan Samaj Party) or the SP (Samajwadi Party), including the fact that left parties have implicitly followed the caste pattern to extract distance in electoral politics. The Aggregate result of the politicisation can be precised by arguing that caste-based identity politics has had a twin role in Indian society and polity. It comparatively democratised the caste-based Indian society but simultaneously destabilised the development of class-based organisations.

When reviewing historical facts, caste politics became noticeable in India in the beginning of 1990s after the National Front government under then Prime Minister Vishwanath Pratap Singh decided to implement the recommendations of the Mandal Commission, a government panel established in 1979 that called for a fixed quota (reservation) of jobs for the OBCs in the public sector.

Historical data indicated that Caste-based discrimination and domination have been a malicious aspect of Indian society and after independence, its implications with politics have not only made it possible for previously oppressed caste-groups to be accorded political freedom and recognition but has also raised consciousness about its potential as a political capital. In fact, Dipankar Gupta has emotionally exposed this ambiguity when he elaborates the differences between Ambedkar and Mandal Commission's view of caste. While the former designed the policy of reservations or protective discrimination to remove untouchability as an institution from Indian social life and polity, the latter considered caste as an important political resource. Actually, the Mandal commission can be regarded as the intellectual inspiration in transforming caste based identity to an asset that may be used as a basis for safeguarding political and economic gains. Though it can also be said that the upper castes by virtue of their major position were already occupying positions of strengths in the political and economic system, and when the Mandal intensified the consciousness of the 'Dalits' by recognising their disadvantage of caste-identity as an advantage the confrontation ensues.

The Mandal Commission was formed in 1979 by the Janata Party government under Prime Minister Morarji Desai with a directive to "identify the socially or educationally backward". The Commission was set up to consider the question of seat reservations and quotas for people to redress caste discrimination, and used eleven social, economic, and educational indicators to determine "backwardness." In 1980, the commission's report confirmed the affirmative action practice under Indian law whereby members of lower castes (known as Other Backward Classes and Scheduled Castes and Tribes) were given exclusive access to a certain portion of government jobs and slots in public universities, and

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recommended changes to these quotas, increasing them by 27% to 49.5%. L R Naik, the only Dalit member in the Mandal Commission rejected to sign the Mandal recommendations, as he afraid that well-to-do OBCs would corner all the benefits of reservation.

In 1990s, several parties like Bahujan Samaj Party (BSP), the Samajwadi Party and the Janata Dal started appealing that they represent the backward castes. Many such parties, relying primarily on Backward Classes' support, often in association with Dalits and Muslims, emerged as powerful in Indian states. At the same time, many Dalit leaders and intellectuals started realizing that the main Dalit oppressors were so-called Other Backward Classes, and formed their own parties, such as the Indian Justice Party. The Congress (I) in Maharashtra long relied on OBCs' backing for its political success. Bharatiya Janata Party has also showcased its Dalit and OBC leaders to prove that it is not an upper-caste party. Bangaru Laxman, the former BJP president (2001-2002) was a former Dalit. Uma Bharati, former CM of Madhya Pradesh, who belongs to OBC caste, is a BJP leader. In 2006, Arjun Singh cabinet minister for MHRD of the United Progressive Alliance (UPA) government was alleged to play caste politics when he introduced reservations for OBCs in educational institutions all around. In Tamil Nadu, Dravida Munnetra Kazhagam (DMK) party rose to power under the rumour of "Brahmin oppression". Many upper-caste Brahmins have criticized of reverse discrimination, alleging that Tamil Brahmins (Iyers, Iyengars) have left the state, due to a "hostile atmosphere" predominant against upper castes in the region.

In political term, caste has a basic role in the decision making process that even the reorganization of states in India had to struggle with it so that no caste group dominates a particular territory. Although untouchability has been forbidden under the Constitution. Harijans and Adivasis have also been given legal safeguard as a positive measure. Government made an attempt to create economic and social impartiality but these reservations have affected Indian politics in an unpleasant manner. Groups declared backward are now not prepared to relinquish the concessions that accumulate to them by the label of backwardness. Caste has thus become a major hurdle in the establishment of a casteless

society and has paved communal connections. Even the politicians are caught in the network. On the one hand, they would like the differences and preferences based on caste to be abolished and on the other, are well aware that these are helpful in securing the vote.

The development role of caste association also play vital role to persuade voting pattern. Even political parties are considering caste as a vote bank. This empowered the lower castes to be politically influential on the basis of numerical preponderance. In selecting candidates for elections, political parties often giving consideration to the caste composition of constituencies. Sometimes, several castes are using politics in their attempt to better their conditions or to accomplish their goal. Reservation policy is another feature in which caste system also influence Indian politics.

It is well recognized that role of caste in elections has two dimensions. One is of the parties and candidates and the second is of the voters. The previous notion seeks support of the voters projecting themselves as champions of particular social and economic interests, the latter while exercising their vote in favour of one party or candidate whether people vote on caste consideration. Different parties accommodate certain castes in distributing party tickets. While nominating candidates parties take into consideration caste of the aspirant candidate and numerical strength of different castes in a constituency. Caste leaders also mobilized their followers on caste lines so that they could show their strength. In the fifties wherever caste associations were able to maintain their unity and did not formally align with ally one party they appealed to their members to vote for their caste fellows irrespective of their party affiliation. In all, caste has become an important determinant in Indian society and politics, the new lesson of organised politics and consciousness of caste affiliations learnt by the previously despised caste groups have transformed the contours of Indian politics where shifting caste-class alliances are being encountered. Total effect of these mobilisations along caste-identities have resulted not only in the empowerment of recently emerging groups but has increased the intensity of confrontational politics and possibly leading to a growing crisis of governability.

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Religion: Another type of identity politics is that produced through the development of a community on the shared link of religion. Religion is a collection of belief systems or cultural systems that relate humanity to spirituality and moral values. Many religions may have organized behaviours, clergy, adherence or membership, holy places, and scriptures. The practice of a religion may also include:

1. - Rituals
2. - Sermons
3. - Sacrifices
4. - Festivals
5. - Funerary services
6. - Matrimonial service
7. - Meditation
8. - Prayer
9. - Music
10. - Art
11. - Dance
12. - Public service
13. - Other aspects of human culture.

Religions may also contain mythology. It can be used to enhance oneself financially or spiritually. It can also be used to manipulate and control others for good or evil ends. It has been used as an effective political and commercial tool as evidenced by the many historic records of religious wars. Religion has great influence on political pattern in Indian society. Politicians use religion as their loopholes. They hide their black money in the names of religion and trusts. Politician use religion to gain success in politics.

There are many explanation for the concept of religion. According to anthropologist Clifford Geertz, religion is " a system of symbols which acts to, establish powerful, pervasive, and long-lasting moods and motivations in men by formulating conceptions of a general order of existence and clothing these conceptions with such an aura of factuality that the moods and motivations seem uniquely realistic".

In India, Hinduism, Islam, Sikhism, Christianity, and Zoroastrianism are major religions practised by the people. Numerically, the Hindus have the majority, which stimulates many Hindu loyalist groups like the RSS (Rashtriya SwayamSevak Sangh) or the Shiv Sena and political parties like the BJP (BharatiyaJanata Party) or the Hindu Mahasabha to claim that India is a Hindu State. These assertions create homogenising myths about India and its history. These claims are contradicted by other religious groups who predict the likelihood of losing sovereignty of practise of their religious and cultural life under such homogenising claims. This initiates contestations that have often resulted in communal uprisings.

Religion in Indian politics can be linked to the country since pre-independence periods. It is supposed that the British, who ruled India for more than 100 years around the 19th century, pitched one community against the other to decline the freedom struggle. They especially thrived in pervading a feeling of anxiety among sections of the Muslim community concerning their wellbeing in a country that had a majority Hindu population and emerging Hindu nationalist voices. As a result, the Muslims demanded reserved seats in the legislature and a separate electorate. The British acceded to their demands through legislation, known as the Act of 1909.

The tensions between groups of the Hindu and Muslim societies resulted in the Indian Muslim League demanding a separate nation for Muslims. When the British were to formally depart the country in 1947, the British India was divided into the 'Hindu-majority' India and the 'Muslim-majority' Pakistan. The Partition had dangerous consequences on both the nations. It resulted in a mass migration of 14.5 million people from India to Pakistan and vice versa, and the killing of around 1 million

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people related to religion of Hindu, Sikh and Muslim in the violent clashes that followed.

The BJP, which struggled to become a national party and an alternative to India's one and only major party at the time, the Congress, espoused a resolution in June 1989 to build a temple of Rama in Ayodhya (Uttar Pradesh state), which the party claimed as the Ram Janmabhoomi (the birthplace of God Rama). The BJP and Hindu nationalists asserted that Muslim ruler Babur had demolished a temple of Rama to build the Babri Mosque in Ayodhya in the 16th century. In September 1990, BJP leader Lal Krishna Advani undertook a RathYatra (procession on a chariot) to promise the construction of a temple of Rama.

The Ayodhya issue intensified the political dividends. In July 1992, Advani, the leader of the opposition in the Lok Sabha (House of the People), reportedly told the House, "You must recognise the fact that from two seats in parliament in 1985, we have come to 117 seats in 1991. This has happened primarily because we took up this issue (Ayodhya)."

The generally acknowledged myths that process the identity divide on religious grounds centre on the 'appeasement theory', 'forcible religious conversions', general 'anti-Hindu' and thus 'anti-India' approach of the minority religious groups, the 'hegemonic aspirations' of majority groups and 'denial of a socio-cultural space' to minority groups. Traditionally, the Hindu revivalist movement of the 19th century is considered to be the period that saw the separation of two separate cultures on religious basis, the Hindus and the Muslims that developed further because of the partition. This division which has become institutionalised in the form of a communal philosophy has become a major challenge for India's secular social fabric and democratic polity. Though communalism for a major part of the last century signified Hindu-Muslim conflict, recently, contestations between Hindus and Christians have often crystallised into communal battle.

The rise of Hindu national decisiveness, politics of representational government, persistence of communal perceptions, and competition for the socio-economic resources are considered some of the reasons for the generation of communal beliefs and their change into major riots.

Identity schemes based on religion have become a major source of skirmish not only in the international background but since the early 1990s it has also become a challenge for Indian democracy and secularism. The growth of majoritarian assertiveness is considered to have become institutionalised after the BJP that along with its 'Hindu' constituents gave political cohesiveness to a consolidating Hindu consciousness, formed a coalition ministry in March 1998. However, like all identity schemes the falsifying of a religious community polishes over internal differences within a particular religion to generate the "we are all of the same kind" emotion. Thus differences of caste groups within a homogenous Hindu identity, linguistic and sectional differences within Islam are shelved to create a homogenous unified religious identity.

In post-independence era, India the majoritarian assertion has generated its own antithesis in the form of minority religions assertiveness and a resulting confrontational politics that weakens the syncretistic dimensions of the civil society in India. The process through which this religious assertiveness is being increasingly institutionalised by a 'methodical rewriting of history' has the potential to reformulate India's national identity along communal trajectories.

It can be evaluated that In the Indian culture, religion has significant role. Political leaders realized that to retain unity in India, there is a need to remain secular. Therefore, Gandhiji had been preaching brotherhood among the different religious groups. Nehru was a strong supporter of secularism. Their efforts could not separate religion from politics rather in politics the vested interests started exploiting caste and religion to achieve political advantage. After independence, religious places are used for political publicity and the religious sentiments of the people are excited in order to gain political control of the State. This emergence of religion-political party has endangered the secularism in India. It is dreaded that if it succeeds, there is a possibility that many other political parties with caste and religion as the basis may come up.

Ethnicity: Ethnicity refers to physical characteristics as well as social traits that are shared by a human population. Some of the social traits often used for ethnic classification include:

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1. - Nationality
2. - Tribe
3. - Religious faith
4. - Shared language
5. - Shared culture
6. - Shared traditions

Ethnicity denotes to selected cultural and physical characteristics used to categorize people into groups or categories considered to be significantly different from others. In some cases, ethnicity involves merely a loose group identity with little or no cultural traditions in common. In contrast, some ethnic groups are coherent subcultures with a shared language and body of tradition.

Ethnic groups may be either a minority or a majority in a populace. Whether a group is a minority or a majority also is not an absolute fact but depends on the perspective.

Several political scientist consider that political movement centred on ethnic identity. It is a major source of discordant conflict in the world today. Some researchers argue that the world is in the process of an ethnic revitalization that threatens to wrench apart established systems of order. The apparent increase in ethnicity-based solidarity and political activity is most often attributed to the opportunity presented by recent shifts in the nature of political, economic, and moral authority. There are two ways in which the idea of ethnic identity is used. One, it insiders the creation of identity on the basis of single attribute - language, religion, caste, region. Secondly, it considers the formation of identity on the basis, of multiple attributes cumulatively. Though, it is the second way formation of identity on the basis of more than one characteristics such as culture, customs, region, religion or caste, which is considered as the most common way of development of the ethnic identity. The one ethnic identity is shaped in relation to the other ethnic identity. The relations between more than one ethnic identities can be both harmonious and conflictual. Whenever, there is competition among the ethnic identities

on the real or imaginary basis, it uttered in the form of autonomy movements, demand for session or ethnic uprisings.

To summarize, caste, religion and ethnicity is entrenched into Indian politics. Many theorists asserted that caste is a social phenomenon of Indian society. Caste has gained a powerful position in Indian politics. Religion also has significant role in Indian Politics. Religion and Politics co-exists in India. Religion can guide a politician but a politician prejudiced in favour of one religion, can never be good for all citizens. Religion is not opposed to science. Religion binds people with duties to perform.

9.7 INDIAN MIDDLE CLASSES AND ELECTORAL POLITICS

Indian "middle classes" had for long been spectators in electoral politics. However, as the country prepares for the 16th general elections, this time around, they seem to be audible and visible everywhere: on television screens, and in newspapers reports; as the angry *aamaadmi* or ordinary citizen, protesting on the urban streets; as the catalyst that propelled a new party, the *AamAadmi Party* (the Common Man's Party, hereafter referred as AAP) to visibility and power in Delhi's Assembly Election.

In prevailing theories, middle class has often been considered the mainstay of democracy. Here, a direct correlation is made between higher economic development, education, middle class and higher political participation, open political attitudes (toleration of opposition, inter-personal trust). However the Indian experience defies these theories.

While it can be argued that the notion of the authentic middle class, progressive and liberal in its views, is a myth the world over, this is particularly true in the Indian context. For, far from having a rationalist modern political attitude, Indian middle class use their social and cultural capital in contradictory ways: advocating radical change and preservation

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of tradition; liberty and authoritarianism; equality and hierarchy all at the same time. As mentioned earlier, their political attitudes are largely influenced by their location in the caste, religion, ethnicity, language sub group and the Indian middle classes have not militated against identity politics. Even as the new middle class becomes globally mobile, inhabits modern spaces, uses the language of modernity, they actively participate in articulations of identity politics of both the dominant "majorities" and of the "minorities".

Check yourProgress-2

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

3. Discuss the cast, religion and ethnicity in Indian politics.

2. Discuss the middle classes and Indian politics.

9.8 LET US SUM UP

Nowadays, elections have emerged as an instrument of choice all over the democratic world.

Elections serve as the basic mechanism for both electing and replacing ruling elites and for providing a regular and systematic succession in government. They help to determine how a country is governed and at the same time select who will exercise state power. Caste has influenced the policy-making of the government, for example the policy of reservation in favour of certain castes. The programmes, policies and declarations of political parties are made, keeping in view the caste factor. Even different positions within a

political party are distributed in terms of caste configurations. Caste plays a very important role in elections and voting. Political parties select their candidates on the basis of caste composition in the constituency. The voting in elections and mobilization of political support from top to bottom moves on the caste lines. The caste factor also influences the formation of the council of ministers and making appointments to various political positions in the government. Religion in Indian politics can be linked to the country since pre-independence periods. It is supposed that the British, who ruled India for more than 100 years around the 19th century, pitched one community against the other to decline the freedom struggle. They especially thrived in pervading a feeling of anxiety among sections of the Muslim community concerning their wellbeing in a country that had a majority Hindu population and emerging Hindu nationalist voices.

9.9 KEYWORDS

- Caste :Caste has influenced the policy-making of the government, for example the policy of reservation in favour of certain castes.
- Religion: Today, both the Hindus and the country's 170 million Muslims, the largest minority group, are courted energetically by political parties.
- Middle class: Indian "middle classes" had for long been spectators in electoral politics.

9.10 QUESTIONS FOR REVIEW

1. Discuss the role of caste.
2. Discuss the religion card in politics.
3. Discuss the cast, religion and ethnicity in Indian politics.
4. Discuss the middle classes and Indian politics.

9.11 SUGGESTED READINGS AND REFERENCES

Notes

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9.12 ANSWERS TO CHECK YOUR PROGRESS

1. Caste has influenced the policy-making of the government, for example the policy of reservation in favour of certain castes. The programmes, policies and declarations of political parties are made, keeping in view the caste factor. Even different positions within a political party are distributed in terms of caste configurations. Caste plays a very important role in elections and voting. Political parties select their candidates on the basis of caste composition in the constituency. The voting in elections and mobilization of political support from top to bottom moves on the caste lines. The caste factor also influences the formation of the council of ministers and making appointments to various political positions in the government. Caste also functions, as a pressure group in politics. Political bargaining is also done on the caste lines. Caste organizations have emerged to organize caste members for collective bargaining with each other. The administration has not escaped the influence of the caste in India. The postings, transfers and appointments of public officials are influenced by caste considerations.

2. Many Indian historians date religion's role in Indian politics back to the colonial period and the 1909 British policy of establishing separate

electorates based on religion. However, in the 1980s, several events worked to bring religion to the forefront of electoral politics, say experts: rising Sikh fundamentalism followed by anti-Sikh riots after the 1984 assassination of Prime Minister Indira Gandhi; Prime Minister Rajiv Gandhi's decision to support legislation that overturned a 1985 Supreme Court judgment to grant alimony to a Muslim woman, seen by many as capitulation to Muslim orthodoxy in an election year; and the rise of the BJP and its call to destroy the Babri mosque in Ayodhya. The dispute in Kashmir and several bloody Hindu-Muslim flare-ups in the last two decades have further divided people along religious lines.

3. India is pigeonholed by more ethnic and religious groups as compared to other countries of the world. Many intellectuals viewed that India is a captivating country where people of many different communities and religions live together in harmony. Indian Population is polygenetic and is an astonishing merger of various races and cultures. Besides, numerous castes, there are eight "major" religions, 15-odd languages spoken in various dialects and a substantial number of tribes and sects.

Politics is the science of government and that part of ethics which has to do with the regulation and government of a nation or state, the preservation of its safety, peace, and prosperity, the defence of its existence and rights against foreign control or conquest, the augmentation of its strength and resources, and the protection of its citizens in their rights, with the preservation and improvement of their morals.

Politics as a notion generally applied to the art or science of running governmental or state affairs, including behaviour within civil governments, but also applies to institutions, fields, and special interest groups such as the corporate, academic, and religious segments of society. It consists of "social relations involving authority or power" and to the methods and tactics used to formulate and apply policy. Modern political discourse focuses on democracy and the relationship between people and politics. It is thought of as the way people choose government officials and make decisions about public policy.

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4. In prevailing theories, middle class has often been considered the mainstay of democracy. Here, a direct correlation is made between higher economic development, education, middle class and higher political participation, open political attitudes (toleration of opposition, inter-personal trust). However the Indian experience defies these theories. While it can be argued that the notion of the authentic middle class, progressive and liberal in its views, is a myth the world over, this is particularly true in the Indian context. For, far from having a rationalist modern political attitude, Indian middle class use their social and cultural capital in contradictory ways: advocating radical change and preservation of tradition; liberty and authoritarianism; equality and hierarchy all at the same time. As mentioned earlier, their political attitudes are largely influenced by their location in the caste, religion, ethnicity, language sub group and the Indian middle classes have not militated against identity politics.

UNIT-10: ELECTORAL SYSTEM IN INDIA SINCE 1950

STRUCTURE

- 10.0 Objectives
- 10.1 Introduction
- 10.2 Types of electoral systems
 - 10.2.1 Rules and regulations
- 10.3 Electoral systems history
 - 10.3.1 Comparison of electoral systems
- 10.4 Process of elections in India
- 10.5 Indian electoral politics 1950-2019
- 10.6 Let us sum up
- 10.7 Keywords
- 10.8 Questions For Review
- 10.9 Suggested Readings And References
- 10.10 Answers To Check Your Progress

10.0 OBJECTIVES

After studying this unit, you should be able to:

- Learn about the types of electoral systems
- Learn about the history of electoral systems
- Learn about the process of elections
- Learn about Indian elections 1950-2019

10.1 INTRODUCTION

Elections in India, the world's second-most populous country, evoke descriptions like 'spectacle' or 'carnival,' in part due to the overwhelming numbers that participate in the process. In this country of over a billion people, 714 million voters will decide who rules the

world's largest democracy for the next five years. In the 2004 elections, over 5,400 candidates from 230 political parties participated. Nearly the same number of candidates will compete for seats in parliament in 2009. Electoral candidates vie for votes by promising reforms, such as better governance, greater socioeconomic equity, and bolstered efforts at poverty alleviation. However, corrupt politicians with criminal records, caste- and religion-based politics, and allegations of vote-buying continue to mar the democratic process. Meanwhile, the coalition politics of the last two decades, while more inclusive, have resulted in giving outsized power to small parties that have used it to further their short-term agendas. Indian historian Ramachandra Guha, in the book *India after Gandhi*, argues the country is only "50 percent in a democracy," holding viable elections, but falling short when it comes to "the functioning of politicians and political institutions."

10.2 TYPES OF ELECTORAL SYSTEMS

Election Commission is a federal body, enacted under the provisions of the Constitution, responsible for monitoring and administering all the electoral processes of India. This body is responsible for ensuring elections are free and fair, without any bias.

Election Commission ensures the conduct of members pre-elections, during elections and post-elections are as per the statutory legislation.

All election related disputes are handled by the Election Commission. The Supreme Court of India has held that where the enacted laws are silent or make insufficient provision to deal with a given situation in the conduct of elections, the Election Commission has the residuary powers under the Constitution to act in appropriate manner.

Elections in the Republic of India include elections for :

- Members of the Parliament in Lok Sabha,
- Members of State Legislative Assembly,
- Members of the Parliament in Rajya Sabha,

- Member of State Legislative Council,
- Members in local panchayat or city corporation council.
- By-election is held when a person of a particular constituent dies or resigns.

General Elections (Loksabha)

Members of Lok Sabha (House of the People) or the lower house of India's Parliament are elected by being voted upon by all adult citizens of India, from a set of candidates who stand in their respective constituencies. Every adult citizen of India can vote only in their constituency. Candidates who win the Lok Sabha elections are called 'Member of Parliament' and hold their seats for five years or until the body is dissolved by the President on the advice of the council of ministers. The house meets in the Lok Sabha Chambers of the Sansad Bhavan in New Delhi, on matters relating to creation of new laws, removing or improving the existing laws that affect all citizens of India. Elections take place once in 5 years to elect 545 members for the Lok Sabha (Lower house)

State Assembly (VidhanSabha) Elections

Members of State Legislative Assembly, are elected directly by voting, from a set of candidates who stands in their respective constituencies. Every adult citizen of India can vote only in their constituency. Candidates who win the State Legislative Assemblies elections are called 'Member of Legislative Assembly' (MLA) and hold their seats for five years or until the body is dissolved by the Governor. The house meets in the respective state, on matters relating to creation of new laws, removing or improving the existing laws that affect all citizens living in that state.

By-election

As the name suggests, when a elected candidate to either the State Assembly, Rajya Sabha or Lok Sabha leaves the office vacant before

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their term ends, a by election is conducted to find a suitable replacement to fill the vacant position. It is often referred in India as Bypolls.

Common reasons for by elections :

- Sitting MLA resigns once he gets elected as MP.
- Sitting MLA or MP died.

Rajya Sabha (Upper House) Elections

The Rajya Sabha, also known as the Council of States, is the upper house of India's Parliament. Candidates are not elected directly by the citizens, but by the Members of Legislative Assemblies and up to 12 can be nominated by the President of India for their contributions to art, literature, science, and social services. Members of the Parliament in Rajya Sabha get a tenure of six years, with one-third of the body facing re-election every two years. Rajya Sabha acts as a second-level review body before a bill becomes an act.

The Vice President of India is the ex-officio Chairman of the Rajya Sabha, who presides over its sessions.

The Legislative proposals (making new laws, removing or appending new conditions to the existing law) are brought before either house of the Parliament in the form of a bill. A bill is the draft of a legislative proposal, which, when passed by both houses of Parliament (Lok Sabha and Rajya Sabha) and assented to by the President, becomes an Act of Parliament.

The Constitution of India however places some restrictions on the Rajya Sabha which makes the Lok Sabha more powerful in certain areas. For example, it stipulates that Money bills must originate in the Lok Sabha.

Plurality systems

Plurality voting is a system in which the candidate(s) with the highest number of votes wins, with no requirement to get a majority of votes. In cases where there is a single position to be filled, it is known as first-

past-the-post; this is the second most common electoral system for national legislatures, with 58 countries using it to elect their legislatures, the vast majority of which are current or former British or American colonies or territories. It is also the second most common system used for presidential elections, being used in 19 countries. In cases where there are multiple positions to be elected, most commonly in cases of multi-member constituencies, plurality voting is referred to as bloc voting or plurality-at-large. This takes two main forms; in one form voters have as many votes as there are seats and can vote for any candidate, regardless of party – this is used in eight countries. There are contrasts on this system such as limited voting, where voters are given fewer votes than there are seats to be elected (Gibraltar is the only territory where this system is in use) and single non-transferable vote (SNTV), in which voters are only able to vote for one candidate in a multi-member constituency, with the candidates receiving the most votes declared the winners; this system is used in Afghanistan, Kuwait, the Pitcairn Islands and Vanuatu. In the other main form of bloc voting, also known as party bloc voting, voters can only vote for the multiple candidates of a single party. This is used in five countries as part of mixed systems.

The Dowdall system, a multi-member constituency variation on the Borda count, is used in Nauru for parliamentary elections and sees voters rank the candidates depending on how many seats there are in their constituency. First choice votes are counted as whole numbers; the second choice votes divided by two, third choice by three; this continues to the lowest possible ranking. The sums achieved by each candidate are then totalled to determine the winner.

Majoritarian systems

Majoritarian voting is a system in which candidates have to receive a majority of the votes to be elected, although in some cases only a plurality is required in the last round of counting if no candidate can achieve a majority. There are two main forms of majoritarian systems, one using a single round of ranked voting and the other using two or more rounds. Both are primarily used for single-member constituencies.

Majoritarian voting can take place in a single round using instant-runoff voting (IRV), whereby voters rank candidates in order of preference; this

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system is used for parliamentary elections in Australia and Papua New Guinea. If no candidate receives a majority of the vote in the first round, the second preferences of the lowest-ranked candidate are then added to the totals. This is repeated until a candidate achieves over 50% of the number of valid votes. If not all voters use all their preference votes, then the count may continue until two candidates remain, at which point the winner is the one with the most votes. A modified form of IRV is the contingent vote where voters do not rank all candidates, but have a limited number of preference votes. If no candidate has a majority in the first round, all candidates are excluded except the top two, with the highest remaining preference votes from the votes for the excluded candidates then added to the totals to determine the winner. This system is used in Sri Lankan presidential elections, with voters allowed to give three choices.

The other main form of majoritarian system is the two-round system, which is the most common system used for presidential elections around the world, being used in 88 countries. It is also used in 20 countries for electing the legislature. If no candidate achieves a majority of votes in the first round of voting, a second round is held to determine the winner. In most cases the second round is limited to the top two candidates from the first round, although in some elections more than two candidates may choose to contest the second round; in these cases the second round is decided by plurality voting. Some countries use a modified form of the two-round system, such as Ecuador where a candidate in the presidential election is declared the winner if they receive 40% of the vote and is 10% ahead of their nearest rival, or Argentina (45% plus 10% ahead), where the system is known as ballot age.

An exhaustive ballot is not limited to two rounds, but sees the last-placed candidate eliminated in the round of voting. Due to the large potential number of rounds, this system is not used in any major popular elections, but is used to elect the Speakers of parliament in several countries and members of the Swiss Federal Council. In some formats there may be multiple rounds held without any candidates being removed until a candidate achieves a majority, a system used in the United States Electoral College.

Proportional systems

Proportional representation is the most widely used electoral system for national legislatures, with the parliaments of over eighty countries elected by various forms of the system.

Party-list proportional representation is the single most common electoral system and is used by 80 countries, and involves voters voting for a list of candidates proposed by a party. In closed list systems voters do not have any influence over the candidates put forward by the party, but in open list systems voters are able to both vote for the party list and influence the order in which candidates will be assigned seats. In some countries, notably Israel and the Netherlands, elections are carried out using 'pure' proportional representation, with the votes tallied on a national level before assigning seats to parties. However, in most cases many multi-member constituencies are used rather than a single nationwide constituency, giving an element of geographical representation. However, this can result in the distribution of seats not reflecting the national vote totals. As a result, some countries have leveling seats to award to parties whose seat totals are lower than their proportion of the national vote.

In addition to the electoral threshold, the minimum percentage of the vote that a party must obtain to win seats, there are several different methods for calculating seat allocation in proportional systems, commonly broken down into the two main types; highest average and largest remainder. Highest average systems involve dividing the votes received by each party by a series of divisors, producing figures that determine seat allocation; examples include the D'Hondt method (of which there are variants including Hagenbach-Bischoff or the Webster/Sainte-Laguë method. Under largest remainder systems, party's vote shares are divided by the quota (obtained by dividing the number of votes by the number of seats available). This usually leaves some seats unallocated, which are awarded to parties based on the largest fractions of seats that they have remaining. Examples of largest remainder systems include the Hare quota, Droop quota, the Imperiali quota and the Hagenbach-Bischoff quota.

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Single transferable vote (STV) is another form of proportional representation, but is achieved by voters ranking candidates in a multi-member constituency by preference rather than voting for a party list; it is used in Malta and the Republic of Ireland. To be elected, candidates must pass a quota (the Droop quota being the most common). Candidates that pass the quota on the first count are elected. Votes are then reallocated from the least successful candidates until the number of candidates that have passed the quota is equal to the number of seats to be filled.

Mixed systems

In many countries, mixed systems are used to elect the legislature. These include parallel voting and mixed-member proportional representation.

In parallel voting systems, which are used in 20 countries, there are two methods by which members of a legislature are elected; part of the membership is elected by a plurality or majority vote in single-member constituencies and the other part by proportional representation. The results of the constituency vote has no effect on the outcome of the proportional vote.

Mixed-member proportional representation, in use in eight countries, also sees the membership of the legislature elected by constituency and proportional methods, but the results of the proportional vote are adjusted to balance the seats won in the constituency vote in order to ensure that parties have a number of seats proportional to their vote share. This may result in overhang seats, where parties win more seats in the constituency system than they would be entitled to based on their vote share. Variations of this include the Additional Member System and Alternative Vote Plus, in which voters rank candidates, and the other from multi-member constituencies elected on a proportional party list basis. A form of mixed-member proportional representation, Scorporo, was used in Italy from 1993 until 2006.

Additional features

Some electoral systems feature a majority bonus system to either ensure one party or coalition gains a majority in the legislature, or to give the party receiving the most votes a clear dominance in terms of the number

of seats. In Greece the party receiving the most votes is given an additional 50 seats, San Marino has a modified two-round system, which sees a second round of voting featuring the top two parties or coalitions if there is no majority in the first round. The winner of the second round is guaranteed 35 seats in the 60-seat Grand and General Council.

In Uruguay, the President and members of the General Assembly are elected by on a single ballot, known as the double simultaneous vote. Voters cast a single vote, voting for the presidential, Senatorial and Chamber of Deputies candidates of that party. This system was also previously used in Bolivia and the Dominican Republic.

Primary elections

Primary elections are a feature of few electoral systems, either as a formal part of the electoral system or informally by choice of separate political parties as a method of selecting candidates, as is the case in Italy. Primary elections limit the risk of vote splitting by ensuring a single party candidate. In Argentina they are a formal part of the electoral system and take place two months before the main elections; any party receiving less than 1.5% of the vote is not permitted to contest the main elections. In the United States, there are both partisan and non-partisan primary elections.

Indirect elections

Some elections characteristic an indirect electoral system, whereby there is either no popular vote, or the popular vote is only one stage of the election; in these systems the final vote is usually taken by an electoral college. In several countries, such as Mauritius or Trinidad and Tobago, the post of President is elected by the legislature. In others like India, the vote is taken by an electoral college consisting of the national legislature and state legislatures. In the United States, the president is indirectly elected using a two-stage process; a popular vote in each state elects members to the electoral college that in turn elects the President. This can result in a situation where a candidate who receives the most votes nationwide does not win the electoral college vote, as most recently happened in 2000 and 2016.

Systems used outside politics

In addition to the various electoral systems in use in the political sphere, there are numerous others, some of which are proposals and some of which have been adopted for usage in business (such as electing corporate board members) or for organisations but not for public elections.

Ranked systems include Bucklin voting, the various Condorcet methods the Coombs' method and positional voting. There are also several variants of single transferable vote, including CPO-STV, Schulze STV and the Wright system. Dual-member proportional representation is a proposed system with two candidates elected in each constituency, one with the most votes and one to ensure proportionality of the combined results. Biproportional apportionment is a system whereby the total number of votes is used to calculate the number of seats each party is due, followed by a calculation of the constituencies in which the seats should be awarded in order to achieve the total due to them.

Cardinal electoral systems allow voters to score candidates independently. The complexity ranges from approval voting where voters simply state whether they approve of a candidate or not to range voting, where a candidate is scored from a set range of numbers. Other cardinal systems include proportional approval voting, sequential proportional approval voting, satisfaction approval voting, majority judgment and the Janeček Method where voters can cast positive and negative votes.

Historically, weighted voting systems were used in some countries. These allocated a greater weight to the votes of some voters than others, either indirectly by allocating more seats to certain groups (such as the Prussian three-class franchise), or by weighting the results of the vote. The latter system was used in colonial Rhodesia for the 1962 and 1965 elections. The elections characteristic two voter rolls (the 'A' roll being largely European and the 'B' roll largely African); the seats of the House Assembly were divided into 50 constituency seats and 15 district seats. Although all voters could vote for both types of seats, 'A' roll votes were given greater weight for the constituency seats and 'B' roll votes greater weight for the district seats. Weighted systems are still

used in corporate elections, with votes weighted to reflect stock ownership.

10.2.1 Rules and Regulations

In addition to the specific method of electing candidates, electoral systems are also characterised by their wider rules and regulations, which are usually set out in a country's constitution or electoral law. Participatory rules determine candidate nomination and voter registration, in addition to the location of polling places and the availability of online voting, postal voting, and absentee voting. Other regulations include the selection of voting devices such as paper ballots, machine voting or open ballot systems, and consequently the type of vote counting systems, verification and auditing used.

Electoral rules place limits on suffrage and candidacy. Most countries' electorates are characterised by universal suffrage, but there are differences on the age at which people are allowed to vote, with the youngest being 16 and the oldest 21 (although voters must be 25 to vote in Senate elections in Italy). People may be disenfranchised for a range of reasons, such as being a serving prisoner, being declared bankrupt, having committed certain crimes or being a serving member of the armed forces. Similar limits are placed on candidacy (also known as passive suffrage), and in many cases the age limit for candidates is higher than the voting age. A total of 21 countries have compulsory voting, although in some there is an upper age limit on enforcement of the law. Many countries also have the none of the above option on their ballot papers.

In systems that use constituencies, apportionment or districting defines the area covered by each constituency. Where constituency boundaries are drawn has a strong influence on the likely outcome of elections in the constituency due to the geographic distribution of voters. Political parties may seek to gain an advantage during redistricting by ensuring their voter base has a majority in as many constituencies as possible, a process known as gerrymandering. Historically rotten and pocket boroughs, constituencies with unusually small populations, were used by wealthy families to gain parliamentary representation.

Notes

Some countries have minimum turnout requirements for elections to be valid. In Serbia this rule caused multiple re-runs of presidential elections, with the 1997 election re-run once and the 2002 elections re-run three times due insufficient turnout in the first, second and third attempts to run the election. The turnout requirement was scrapped prior to the fourth vote in 2004. Similar problems in Belarus led to the 1995 parliamentary elections going to a fourth round of voting before enough parliamentarians were elected to make a quorum.

Reserved seats are used in many countries to ensure representation for ethnic minorities, women, young people or the disabled. These seats are separate from general seats, and may be elected separately (such as in Morocco where a separate ballot is used to elect the 60 seats reserved for women and 30 seats reserved for young people in the House of Representatives), or be allocated to parties based on the results of the election; in Jordan the reserved seats for women are given to the female candidates who failed to win constituency seats but with the highest number of votes, whilst in Kenya the Senate seats reserved for women, young people and the disabled are allocated to parties based on how many seats they won in the general vote. Some countries achieve minority representation by other means, including requirements for a certain proportion of candidates to be women, or by exempting minority parties from the electoral threshold, as is done in Poland, Romania and Serbia.

10.3 ELECTORAL SYSTEMS HISTOR

Pre-democratic

In ancient Greece and Italy, the institution of suffrage already existed in a rudimentary form at the outset of the historical period. In the early monarchies it was customary for the king to invite pronouncements of his people on matters in which it was prudent to secure its assent beforehand. In these assemblies the people recorded their opinion by clamouring (a method which survived in Sparta as late as the 4th century BCE), or by the clashing of spears on shields.

Early democracy

Voting has been used as a feature of democracy since the 6th century BC, when democracy was introduced by the Athenian democracy. However, in Athenian democracy, voting was seen as the least democratic among methods used for selecting public officials, and was little used, because elections were believed to inherently favour the wealthy and well-known over average citizens. Viewed as more democratic were assemblies open to all citizens, and selection by lot as well as rotation of office.

Generally, the taking of votes was effected in the form of a poll. The practice of the Athenians, which is shown by inscriptions to have been widely followed in the other states of Greece, was to hold a show of hands, except on questions affecting the status of individuals: these latter, which included all lawsuits and proposals of ostracism, in which voters chose the citizen they most wanted to exile for ten years, were determined by secret ballot (one of the earliest recorded elections in Athens was a plurality vote that it was undesirable to win, namely an ostracism vote). At Rome the method which prevailed up to the 2nd century BCE was that of division. But the system became subject to intimidation and corruption. Hence a series of laws enacted between 139 and 107 BCE prescribed the use of the ballot, a slip of wood coated with wax, for all business done in the assemblies of the people. For the purpose of carrying resolutions a simple majority of votes was deemed sufficient. As a general rule equal value was made to attach to each vote; but in the popular assemblies at Rome a system of voting by groups was in force until the middle of the 3rd century BCE by which the richer classes secured a decisive preponderance.

Most elections in the early history of democracy were held using plurality voting or some variant, but as an exception, the state of Venice in the 13th century adopted approval voting to elect their Great Council. The Venetians' method for electing the Doge was a particularly convoluted process, consisting of five rounds of drawing lots and five rounds of approval voting. By drawing lots, a body of 30 electors was chosen, which was further reduced to nine electors by drawing lots again. An electoral college of nine members elected 40 people by approval voting; those 40 were reduced to form a second electoral college of 12

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members by drawing lots again. The second electoral college elected 25 people by approval voting, which were reduced to form a third electoral college of nine members by drawing lots. The third electoral college elected 45 people, which were reduced to form a fourth electoral college of 11 by drawing lots. They in turn elected a final electoral body of 41 members, who ultimately elected the Doge. Despite its complexity, the method had certain desirable properties such as being hard to game and ensuring that the winner reflected the opinions of both majority and minority factions. This process, with slight modifications, was central to the politics of the Republic of Venice throughout its remarkable lifespan of over 500 years, from 1268 to 1797.

Development of new systems

Later in the 18th century, apportionment methods came to prominence due to the United States Constitution, which mandated that seats in the United States House of Representatives had to be allocated among the states proportionally to their population, but did not specify how to do so. A variety of methods were proposed by statesmen such as Alexander Hamilton, Thomas Jefferson, and Daniel Webster. Some of the apportionment methods devised in the United States were in a sense rediscovered in Europe in the 19th century, as seat allocation methods for the newly proposed method of party-list proportional representation.

Since then, proportional and semi-proportional methods have come to be used in almost all democratic countries, with most exceptions being former British colonies.

Single-winner revival

Perhaps influenced by the rapid development of multiple-winner electoral systems, theorists began to publish new findings about single-winner methods in the late 19th century.

Ranked voting electoral systems eventually gathered enough support to be adopted for use in government elections. In Australia, IRV was first adopted in 1893, and continues to be used along with STV today. In the United States in the early-20th-century progressive era, some municipalities began to use Bucklin voting, although this is no longer

used in any government elections, and has even been declared unconstitutional in Minnesota.

Recent developments

The use of game theory to analyze electoral systems led to discoveries about the effects of certain methods. Earlier developments such as Arrow's impossibility had already shown the issues with Ranked voting systems. The study of electoral systems influenced a new push for electoral reform beginning around the 1990s, when proposals were made to replace plurality voting in governmental elections with other methods. New Zealand adopted mixed-member proportional representation for the 1993 general elections and STV for some local elections in 2004.

10.3.1 Comparison of Electoral Systems

Electoral systems can be compared by different means. Attitudes towards systems are highly influenced by the systems' impact on groups that one supports or opposes, which can make the objective comparison of voting systems difficult. There are several ways to address this problem:

One approach is to define criteria mathematically, such that any electoral system either passes or fails. This gives perfectly objective results, but their practical relevance is still arguable.

Another approach is to define ideal criteria that no electoral system passes perfectly, and then see how often or how close to passing various methods are over a large sample of simulated elections. This gives results which are practically relevant, but the method of generating the sample of simulated elections can still be arguably biased.

A final approach is to create imprecisely defined criteria, and then assign a neutral body to evaluate each method according to these criteria. This approach can look at aspects of electoral systems which the other two approaches miss, but both the definitions of these criteria and the evaluations of the methods are still inevitably subjective.

Notes

Arrow's and Gibbard's prove that no system using ranked voting or cardinal voting, can meet all such criteria simultaneously. Instead of debating the importance of different criteria, another method is to simulate many elections with different electoral systems, and estimate the typical overall happiness of the population with the results, their vulnerability to strategic voting, their likelihood of electing the candidate closest to the average voter, etc.

Check your Progress-1

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss two types of electoral systems.

2. Discuss the comparison of electoral systems.

10.4 PROCESS OF ELECTIONS IN INDIA

1] Marking of constituencies

Constituencies are areas marked for people to elect their representatives from. In India, each constituency has roughly a similar size of the population, meaning the number of varies from state to state. This also implies that the number of seats (example, in Lok Sabha) is in proportion to the population of the state.

2] Preparation of Electoral Rolls

The constituencies have people who vote for their representatives or can even stand for elections themselves. Electoral rolls are the lists of voters in one constituency. In India, there is a universal franchise by law. Meaning, that every individual, above the age of 18 has a right to vote and choose his

representative. And so all their names should appear in their respective electoral rolls.

3] Registration of Political Parties

India allows every eligible person to stand for elections, as long as they have a 'ticket'. A political party registers for elections and individuals file their nomination papers too. Then, a person each gets a 'ticket' from the party they're representing and he can formally contest the elections. Every party has a symbol that represents them, for example BJP has a lotus flower.

4] Political Campaigning

Each party contesting elections has a particular ideology and set of policies. They need to hold political campaigns for around two weeks in order to publicize them and gather voters. Ideally, they need to do this ethically by convincing voters with good policies and plans. In India, they're given a particular limit of expenditure, beyond which they can't spend more money.

5] Voting Day Preparations

This day is finally when voters vote for their choice of representative in election booths. Earlier, people used to vote by ballot paper, but nowadays, they use EVM (electronic voting machines) by simply pressing a button on their party symbol. The votes are then later counted and the candidate with the majority of the votes wins the election.

Challenges in India

In India, there are a couple of problems that stand in the way of free and fair elections. Some of these are:

- The rigging of poll booths.
- Some big political parties have an obvious advantage where they can use an excess of money power to 'buy' votes with bribery.

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- Even while campaigning, smaller parties have a disadvantage since they don't have as much money or power as the bigger parties.
- Populism is also a major problem in India.
- Parties in India follow caste politics where parties give the 'ticket' to a person who is from a scheduled caste so that in his/ her constituency, he is sure to win. This entrenches power in only one caste and at the same time violates the sacred purpose of reservations.

10.5 INDIAN ELECTORAL POLITICS 1950-2019

There are at least 2,354 parties registered today compared to 53 parties that contested elections in 1951-52. Interestingly, the number of registered parties in 2019 is more than the total number of candidates (1,849) who contested the general elections in 1951-52

India is set to conduct the world's largest democratic exercise in just over 30 days from now as the Chief Election Commissioner, Sunil Arora, on Sunday announced the polling schedule for the 2019 Lok Sabha elections. The seven-phased general election for the 17th Lok Sabha will begin on April 11 2019, and will wind up on May 19, 2019. The results for the same will be declared on May 23, 2019.

As announced by the CEC Arora on Sunday evening, there are at least 90 crore registered voters as of today in the country having a population of roughly 130 crore. This means that 69.23 percent of the citizens are eligible to vote. This is also an increase of 8.55 crores from the previous Lok Sabha elections in 2014 when there were 81.45 crore eligible voters. When compared with the first general elections when Sukumar Sen was the CEC—appointed on March 21, 1950—the country had merely 17.32 crore voters (excluding Jammu and Kashmir). According to the 1951 Census, the population of the country was 35.66 crore. Again, this means that 48.56 percent of the citizens were eligible to vote.

It should be noted that during the first general elections in 1951-52, only citizens aged 21 years or older were allowed to vote, whereas now the

cut-off age is 18 years. The voting age was lowered from 21 to 18 years through 'The Constitution (Sixty-first Amendment) Act, 1988'.

The general election in 1951-52 was held in as many as 68 phases and over the course of almost four months between October 25 1951 and February 21, 1952. In contrast, the upcoming elections will be held in seven phases and would take 39 days to wind-up.

The total number of seats during the first elections were 489 whereas the country will hold elections on 543 parliamentary seats now.

According to the Election Commission of India data, there are at least 2,354 parties registered as of today in the country which is significantly higher than 53 parties that contested elections in 1951-52. Interestingly, the number of registered parties in 2019 are even more than the total number of candidates (1,849) who contested the general elections in 1951-52. In 2014, the number of candidates who were in the fray was 8,251. During the upcoming Lok Sabha polls, these numbers are expected to rise.

At least, 17.4 lakh VVPATs will be employed in as many as 10,35,918 polling stations compared with merely 2,23,611 polling booths in 1951-52, of which 27,527 were reserved for women.

In terms of post-poll numbers, the first general election in independent India saw a voter turnout of 45.7 per cent, whereas 66.4 per cent of the the eligible voters voted in 2014—highest ever.

Congress, which was the largest political party in 1951-52, won 364 seats in the parliament and bagged a vote-share of 44.99 per cent. It was followed by Communist Party of India (Marxist) at 16 seats and 3.29 per cent votes, Socialist Party with 12 seats and 10.59 votes, Kisan Mazdoor Party at 9 seats and 5.79 per cent of votes, People's Democratic Front with 7 seats and 1.29 per cent of votes, Akhil Bharatiya Hindu Mahasabha with 4 seats and 0.95 per cent of votes, Bharatiya Jana Sangh at 3 seats and 3 per cent of votes. Independents had won 37 seats.

In 2014, Bharatiya Janata Party had won 282 seats with a vote-share of 31.3 per cent, followed by Congress with 44 seats with 19.5 of votes, All India Dravida Munnetra Kazhagam at 37 seats and 3.3 per cent of votes, All India Trinamool Congress with 34 seats and 3.9 per cent of votes and Biju Janata Dal at 20 seats and 1.7 per cent of votes.

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Expenditure-wise, the first general election had cost Rs 10 crore to the exchequer compared with Rs 3,870 crore that the Centre spent in holding the Lok Sabha election in 2014.

In fact, the money spent to conduct the first general election is more or less equal to what a political party spends today on an individual candidate during the election campaign, if Jayprakash Narayan of the Lok Satta Party is to be believed. Narayan claims that "No party spends less than Rs 10 crore per constituency per candidate in India."

Expenditure to conduct the elections had crossed the Rs 100 crore-mark only in 1989 and went past the Rs 1,000 crore-mark in 2004.

Check your Progress-2

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

3. Discuss the process of elections in India.

2. Discuss the Indian elections since 1950.

10.6 LET US SUM UP

Election Commission is a federal body, enacted under the provisions of the Constitution, responsible for monitoring and administering all the electoral processes of India. This body is responsible for ensuring elections are free and fair, without any bias.

Election Commission ensures the conduct of members pre-elections, during elections and post-elections are as per the statutory legislation.

Most elections in the early history of democracy were held using plurality voting or some variant, but as an exception, the state

of Venice in the 13th century adopted approval voting to elect their Great Council. The Venetians' method for electing the Doge was a particularly convoluted process, consisting of five rounds of drawing lots and five rounds of approval voting. By drawing lots, a body of 30 electors was chosen, which was further reduced to nine electors by drawing lots again.

There are at least 2,354 parties registered today compared to 53 parties that contested elections in 1951-52. Interestingly, the number of registered parties in 2019 is more than the total number of candidates (1,849) who contested the general elections in 1951-52

India is set to conduct the world's largest democratic exercise in just over 30 days from now as the Chief Election Commissioner, Sunil Arora, on Sunday announced the polling schedule for the 2019 Lok Sabha elections.

10.7 KEYWORDS

- Electoral systems: In addition to the various electoral systems in use in the political sphere, there are numerous others, some of which are proposals and some of which have been adopted for usage in business.
- Process of election: Each party contesting elections has a particular ideology and set of policies.
- 1950-2019: Narayan claims that "No party spends less than Rs 10 crore per constituency per candidate in India."

10.8 QUESTIONS FOR REVIEW

1. Discuss two types of electoral systems.
2. Discuss the comparison of electoral systems.
3. Discuss the process of elections in India.
4. Discuss the Indian elections since 1950.

10.9 SUGGESTED READINGS AND REFERENCES

1. Table of Electoral Systems Worldwide IDEA
2. Nauru Parliament: Electoral system IP
3. Elections held in 1995 IPU
4. Sejm: Electoral system IPU
5. ArendLijphart (1985) "The Field of Electoral Systems Research: A Critical Survey" Electoral Studies, Vol.4

10.10 ANSWERS TO CHECK YOUR PROGRESS

1. Primary elections

Primary elections are a characteristic of some electoral systems, either as a formal part of the electoral system or informally by choice of individual political parties as a method of selecting candidates, as is the case in Italy. Primary elections limit the risk of vote splitting by ensuring a single party candidate. In Argentina they are a formal part of the electoral system and take place two months before the main elections; any party receiving less than 1.5% of the vote is not permitted to contest the main elections. In the United States, there are both partisan and non-partisan primary elections.

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Some elections characteristic an indirect electoral system, whereby there is either no popular vote, or the popular vote is only one stage of the election; in these systems the final vote is usually taken by an electoral college. In several countries, such as Mauritius or Trinidad and Tobago, the post of President is elected by the legislature. In others like India, the vote is taken by an electoral college consisting of the national legislature and state legislatures. In the United States, the president is indirectly elected using a two-stage process; a popular vote in each state elects members to the electoral college that in turn elects the President. This can result in a situation where a candidate who receives the most votes

nationwide does not win the electoral college vote, as most recently occurred in 2000 and 2016.

2. Electoral systems can be compared by different means. Attitudes towards systems are highly influenced by the systems' impact on groups that one supports or opposes, which can make the objective comparison of voting systems difficult. There are several ways to address this problem:

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Arrow's and Gibbard's theorems prove that no system using ranked voting or cardinal voting, can meet all such criteria simultaneously. Instead of debating the importance of different criteria, another method is to simulate many elections with different electoral systems, and estimate the typical overall happiness of the population with the results, their vulnerability to strategic voting, their likelihood of electing the candidate closest to the average voter, etc.

3. 1] Marking of constituencies

Constituencies are areas marked for people to elect their representatives from. In India, each constituency has roughly a similar size of the population, meaning the number of varies from state to state. This also

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implies that the number of seats (example, in Lok Sabha) is in proportion to the population of the state.

2] Preparation of Electoral Rolls

The constituencies have people who vote for their representatives or can even stand for elections themselves. Electoral rolls are the lists of voters in one constituency. In India, there is a universal franchise by law. Meaning, that every individual, above the age of 18 has a right to vote and choose his representative. And so all their names should appear in their respective electoral rolls.

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India allows every eligible person to stand for elections, as long as they have a 'ticket'. A political party registers for elections and individuals file their nomination papers too. Then, a person each gets a 'ticket' from the party they're representing and he can formally contest the elections. Every party has a symbol that represents them, for example BJP has a lotus flower.

4. There are at least 2,354 parties registered today compared to 53 parties that contested elections in 1951-52. Interestingly, the number of registered parties in 2019 is more than the total number of candidates (1,849) who contested the general elections in 1951-52

India is set to conduct the world's largest democratic exercise in just over 30 days from now as the Chief Election Commissioner, Sunil Arora, on Sunday announced the polling schedule for the 2019 Lok Sabha elections. Congress, which was the largest political party in 1951-52, won 364 seats in the parliament and bagged a vote-share of 44.99 per cent. It was followed by Communist Party of India (Marxist) at 16 seats and 3.29 per cent votes, Socialist Party with 12 seats and 10.59 votes, Kisan Mazdoor Party at 9 seats and 5.79 per cent of votes, People's Democratic Front with 7 seats and 1.29 per cent of votes, Akhil Bharatiya Hindu Mahasabha with 4 seats and 0.95 per cent of votes, Bharatiya Jana Sangh at 3 seats and 3 per cent of votes. Independents had won 37 seats.

UNIT-11: THE ELECTION COMMISSION OF INDIA

STRUCTURE

11.0 Objectives

11.1 Introduction

11.2 Structure of the election commission

11.2.1 Removal from office

11.3 Functions of election commission

11.4 Modernisation

11.5 Electors with disabilities

11.6 Advisory and quasi-judiciary powers

11.6.1 Administrative powers

11.7 Important facts about the election commission of India

11.7.1 Criticism faced by election commission of India

11.7.2 Composition of election commission of India

11.8 Role and responsibilities of the election commission of India

11.8.1 Value of the election commission

11.8.2 Powers and functions of the election commission

11.9 Let us sum up

11.10 Keywords

11.11 Questions For Review

11.12 Suggested Readings And References

11.13 Answers To Check Your Progress

11.0 OBJECTIVES

After studying this unit, you should be able to:

- learn about the structure and functions of election commission
- learn about the important facts of election commission
- learn about the role and responsibilities of election commission of India

11.1 INTRODUCTION

The **Election Commission of India** is an autonomous constitutional authority responsible for administering election processes in India. The body administers elections to the Lok Sabha, Rajya Sabha, state Legislative Assemblies, state legislative Councils, and the offices of the President and Vice President of the country. The Election Commission operates under the authority of Constitution per *Article 324*, and subsequently enacted Representation of the People Act. The commission has the powers under the Constitution, to act in an appropriate manner when the enacted laws make insufficient provisions to deal with a given situation in the conduct of an election. Being a constitutional authority, Election Commission is amongst the few institutions which function with both autonomy and freedom, along with the country's higher judiciary, the Union Public Service Commission and the Comptroller and Auditor General of India.

The Election Commission in India operates under the authority of the Constitution of India. It is an autonomous constitutional authority that has been assigned the task of effectively managing the election processes in the country. The Lok Sabha and Rajya Sabha elections and the elections of the State Legislative Councils, State Legislative Assemblies and the offices of President and Vice President of India are all administered by the Election Commission of India.

Established in the year 1950, the Election Commission of India comprised of just one member who held the designation of the Chief Election Commissioner. The Chief Election Commissioner administered the election processes solely for years. It was in October 1989 that two more commissioners were appointed for the Election Commission of India. Mostly retired IAS officers are selected for the position of the Chief Election Commissioner and the other commissioners.

The Election Commission of India is doing a good job ever since its inception. With a few exceptions, the election processes in India have mostly been smooth and fair. Many amendments have been done in the

election processes to improve the procedure. This includes the introduction of electronic voting machines (EVM) and Voter verified paper audit trail (VVPAT) among other things.

It would not be wrong to say that the Election Commission is constantly working towards improving the election process in the country.

11.2 STRUCTURE OF THE ELECTION COMMISSION

The current commission was established in 1950 when it had a Chief Election Commissioner appointed. Membership increased on 16 October 1989 to three with the increase of two Commissioners were appointed to the commission. That commission ceased on 1 January 1990 when The Election Commissioner Amendment Act, 1989 superseded the earlier the commission; it continues in operation. Decisions by the commission are by at least a majority vote. The Chief Election Commissioner and the two Election Commissioners who are usually retired IAS officers draw salaries and allowances as per with those of the Judges of the Supreme Court of India as per the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Rules, 1992.

The commission secretariat is based in New Delhi which includes the Election Commissioners, Deputy Election Commissioners (usually IAS officers) Directors General, Principal Secretaries, Secretaries and Under Secretaries.

Administration is generally by state with the Chief Electoral Officer of the State, who is an IAS officer of Principal Secretary rank. At the district and constituency levels, the District Magistrates (in their capacity as District Election Officers), Electoral Registration Officers and Returning Officers perform election work.

11.2.1 Removal From Office

Notes

The Chief Election Commissioner of India can be removed from office as can be a judge of the Supreme Court of India: a two-thirds majority resolution passed by the Parliament of India (Lok Sabha and Rajya Sabha) outlining the grounds of misbehaviour or incapacity. Other Election Commissioners can be removed by the President of India on the advice of the Chief Election Commissioner. A Chief Election Commissioner has yet to be impeached. In 2009, just before the 2009 Lok Sabha Elections, Chief Election Commissioner N. Gopalswami sent a recommendation to President Prathibha Patil to remove Election Commissioner Navin Chawla, who was soon to take office as the chief election commissioner and to subsequently supervise the Lok Sabha Election, a potential conflict of interest considering his partisan political party behaviour. The President rejected advisory recommendation. Subsequently, after Gopalswami's retirement the next month, Chawla became the chief election commissioner and supervised the 2009 Lok Sabha Elections.

11.3 FUNCTIONS OF THE ELECTION COMMISSION

The fundamental pursuit of democracy is elections at regular intervals. Holding periodic, free and fair elections are essentials of a democratic system and a part fundamental aspect of the Constitution. The Election Commission is regarded as India's guardian of elections. Starting with the 1971 5th Lok Sabha elections, the commission has issued for each election an advisory Model Code of Conduct guidelines to be adhered to by political parties and candidates although there is no constitutional statutory power or obligation to do so. Instances of violation of the code by various political parties with complaints being received for misuse of official machinery by the candidates has happened. The code does not have any specific statutory basis but only a persuasive effect. It contains the rules of electoral morality.

In 1989, political parties were required to register with the commission. Avoiding confusion is the objective of the registration with the commission.

The commission has the power to designate political party insignia and is prohibited from allowing the same insignia by two different parties regardless of differing locations. It set limits on poll expenses. The commission is responsible for maintenance of the electoral rolls and establishing the schedules of elections.

The commission is empowered with prohibiting dissemination or publication of voting trends that seek to influence voters by opinion polls or exit polls.

To curb the growing influence of money during elections, the Election Commission has made many suggestions and changes in this regard. The commission has appointed IRS officers of the Income Tax Department as Election Observers (Expenditure) of all elections and has fixed the legal limits on the amount of money which a candidate can spend during election campaigns. These limits have been revised over time. The Election Commission, by appointing expenditure observers from the Indian Revenue Service, keeps an eye on the individual account of election expenditure. The commission takes details of the candidate's assets on affidavit at the time of submitting nomination paper, who are also required to give details of their expenditure within 30 days of the declaration of results. The campaign period has also been reduced by the commission from 21 to 14 days for Lok Sabha and Assembly elections to cut down election expenditure.

In an attempt to decriminalise politics, the Election Commission has approached the Supreme Court to put a lifetime ban on convicted politicians from contesting elections.

Check your Progress-1

Note: i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss the structure of election commission.

2. Discuss the function of election commission.

11.4 MODERNISATION

The Election Commission had tried to bring improvements in election procedures by the introduction of Electronic voting machines or EVMs. It was thought that these would reduce malpractices and improve efficiency. It was first tried out on an experimental basis in the state of Kerala for the 1982 Legislative Assembly Elections. After a successful testing and the legal inquiries, the commission took the decision to begin the use of these voting machines. The Election Commission launched a web site of its own on 28 February 1998 in order to provide accurate information, management, administration and instant results of the elections. In an effort to prevent electoral fraud, in 1993, EPICs or Electors Photo Identity Cards were issued, which became mandatory by the 2004 elections. However ration cards have been allowed for election purposes in certain situations.

In 1998, the commission decided on a programme for the 'computerisation' of the electoral rolls. The introduction of Voter-verified paper audit trail (VVPAT) in eight Lok Sabha constituencies in 2014 Indian General Elections was a big achievement for the Election Commission. This Voter-verified paper audit trail (VVPAT) system was first used with EVMs in a by-poll in September 2013 in Noksen (Assembly Constituency) in Nagaland. and eventually in all elections from September 2013 onwards in various Legislative elections in the country

In 2014, none of the above or NOTA was also added as an option on the voting machines which is now a mandatory option to be provided in any election. The specific symbol for NOTA, a ballot paper with a black cross across it, was introduced on 18 September 2015. The symbol has been designed by National Institute of Design, Ahmadabad. With the 2015 Bihar Legislative Assembly election, the state became the first to have photo electoral rolls, with photographs of the candidates on the EVMs.

11.5 ELECTORS WITH DISABILITIES

The Election Commission of India came under severe criticism when an RTI application filed by activist Dr Satendra Singh revealed the commission's ill-preparedness to safeguard electors with disabilities in the 2014 Lok Sabha elections. There were many violations of the Supreme Court order from 2014 to enfranchise persons with disabilities.

2017 Hackathon

Election Commission organised an open hackathon on 3 June 2017, to attempt hacking of Electronic Voting Machine used by the commission in various Indian elections. The NCP and CPI(M) were the only two parties that registered for the event but none of them participated. Functioning of EVMs and VVPAT machines were demonstrated to the teams.

11.6 ADVISORY AND QUASI-JUDICIARY POWERS

- The Election Commission of India has advisory jurisdiction in terms of post-election ineligibility of sitting members of the Parliament and State Legislature.
- Cases where an individual is found guilty of malpractice at elections by the Supreme Court or High Courts are referred to the ECI for its opinion of the said person's disqualification. In such cases, the judgement passed by the ECI is final and binding on the President of India or the Governor as per jurisdiction.
- The Election Commission of India also has the power to ban any candidate who has not lodged an account of election expenses by the deadline and as per the law.
- ECI can also remove or reduce the period of disqualification as per the law.

11.6.1 Administrative Powers

- Allotting territorial areas for electoral constituencies in the country
- Organise and amend electoral rolls and register eligible voters
- Inform dates and schedule of elections and scrutinize nomination papers
- Give recognition to political parties and assign election symbols to them.
- ECI appoints the following seats:
 - Chief Electoral Officer
 - District Election Officer
 - Returning Officer
 - Electoral Registration Officer

Check your Progress-2

Note: i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

3. Discuss the electors with disabilities.

4. Discuss the administrative powers.

11.7 IMPORTANT FACTS ABOUT THE ELECTION COMMISSION OF INDIA

The Election Commission of India, headquartered in New Delhi, consists of three major members. These include the Chief Election Commissioner and two election commissioners. These members are entrusted to head the commission and conduct free and fair elections in the country. The Election Commission is given complete authority to do what it takes to ensure free and fair elections in the country.

Important Facts about Election Commission of India

Here are few important facts about the Election Commission of India:

- Election Commission of India was formed in the year 1950.
- Election Commission is an independent and permanent body.
- The Election Commissioner operates under Article 324 of the Indian Constitution.
- The Chief Election Commissioner and other two election commissioners that head the Election Commission of India are selected by the president of the country.
- The election commissioners serve a term of six years in office or up to the age of 65 years, whichever is earlier.
- A subsidiary of the Election Commission is formed in every state of India. This is referred to as the state election commission.
- Election Commission needs to handle several tasks such as planning election schedule, preparing electoral rolls, assessing new political parties and validating them, appointing election observers, preventing/ taking action against any malpractice including booth capturing, vote rigging etc. and cancelling the elections (if needed).
- Election Commission became a permanent three members headed body after the Constitution Amendment Act, 1993 was passed.
- In case the existing laws appear weak/ inadequate, while taking charge of a critical situation during the election process, the

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Election Commission of India has the power to act in a manner it deems appropriate to handle the situation.

- The Chief Election Commissioner can be asked to step down from his position by a two-third majority in the parliament in case of charges of inappropriate behaviour. The other two commissioners can be removed by the president. The chief election commissioner has the authority to recommend names to the president for the removal of election commissioner, based on which he can take the decision.
- Initially paper ballot was used to cast vote. However, with the advances in technology, the Election Commission decided to replace it with electronic voting machine. This machine is easy to use and has improved the election process. However, it has also received a lot of criticism. Many political parties claim that it can forge poll results.

11.7.1 Criticism faced by election commission of India

The members of the election commission have been working hard to fulfil the responsibilities assigned to them. They have brought about many changes in the election process to ensure fair elections in the country. However, despite all their efforts, the election commission has faced severe criticism several times since their inception.

- **The EVM Issue**

One of the major criticisms that the electoral system in our country has faced is the introduction of electronic voting machines. The Election Commission of India introduced these well designed and easy-to-use voting machines with the intent to improve the election process. However, the authenticity of these machines has always been questioned and debated. These machines are said to be vulnerable to fraud.

Many political parties have claimed that these machines can be attacked to alter the election results and are thus a hindrance in conducting fair

elections. The Congress Party even demanded the Election Commission to stop the use of EVM and switch back to the paper ballot system to ensure transparency and avoid fraud of any type.

Responding to these serious claims and charges, the Election Commission invited the parties to an open hacking contest which they named, the Hackathon. Their response towards the charges thrown at them showed their confidence about the system they had implemented.

The event organized on 3rd June 2017 saw only two parties registering for it even though many big parties had made serious attacks on the same. These were the NCP and CPI (M). However, even these parties did not participate in the Hackathon. The Election Commission demonstrated the use and functionality of EVM and VVPAT machines during this event.

- **Other Reasons for Criticism**

Voters have criticized the Election Commission for incomplete voter lists that barred them from casting their vote. The serious claim had been made by many voters in Mumbai including some high profile names.

In an attempt to ensure free and fair elections, the Election Commission introduced the Model Code of Conduct. This code of conduct bars political parties from belittling each other in an attempt to acquire votes. During election campaigns, many political parties speak highly of themselves and criticize the opposition parties. Election Commission has been taking action against such hate speeches.

It has issued notices to parties indulging in the same. However, it has been criticized for being biased to certain parties. Responding to these accusations, the Election Commission has said that it has taken stand and issued warnings based on substantive proof and will continue to do so to ensure fair play.

Election Commission's ill-preparedness to guard to electors with disabilities has also been criticized.

Conclusion

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The Election Commission of India has introduced several changes in the election process every since it started off. While it has largely been praised for the improvements made and for efficiently conducting elections in one of the largest democracies in the world, it also had to bear some criticism as discussed above. However, despite the condemnation the Election Commission continues to work with dedication.

11.7.2 Composition of election commission

The Chief Election Commissioner is the head of the body. The body was set up in 1950 with only one officer – The Chief Election Commissioner, appointed by the President. But in 1993, it grew and also included two more election commissioners. They hold office for six years or till they are 65 years old, whichever is earlier. Yet, they can still step down from office or be removed any time before that.

The Constitution makes sure that the Election Commission remains an independent body that is not controlled by changing powers at the centre. It does so, by making sure that it is very difficult to remove them from office. Even their service conditions cannot be changed. This is very important so that free and fair elections can take place in India, without different political parties spoiling or interfering with the process.

11.8 ROLE AND RESPONSIBILITIES OF THE ELECTION COMMISSION OF INDIA

Election Commission of India has been assigned a great responsibility. Its key role is to oversee the process of elections in the country and ensure smooth completion of the same. To further this objective, it needs to perform several functions. Consisting of a three member group, the Election Commission of India has the power to seek help from other

government officials and professionals to accomplish various tasks related to the election process, if need arises.

Role and Responsibilities of the Election Commission of India

Here is a closer look at the various responsibilities and functions of the Election Commission of India:

1. Election Commission of India needs to conduct the following elections:
 - Lok Sabha elections
 - Rajya Sabha elections
 - Parliament and State Legislature by-elections
 - President and Vice President elections
2. The Election Commission also makes arrangements for by-elections and conducts them if needed.
3. The Election Commission requires planning the election schedule. A lot of planning goes into it. The Chief Election Commissioner of India announces the schedule via press conference. The prospective candidates can file for nominations thereafter.
4. The Election Commission thoroughly assesses any new political party formed to contest elections. It is only after proper scrutiny that the Election Commission recognizes and validates the newly formed party. EC also assigns a symbol to the party.
5. The Election Commission needs to prepare the electoral rolls for the election. It should ascertain that the electoral rolls prepared are correct. Every voter registered to vote should be allowed to do so.
6. The Election Commission applies the Model Code of Conduct in the areas where the elections are to be held. It also keeps a check on whether the code of conduct is being followed or not. It issues notices to the parties violating the defined code of conduct.

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7. The Election Commission of India also needs to appoint election observers to make sure the elections are conducted in a fair manner. It needs to invest time, looking for reliable candidates to handle this position.
8. The Election Commission must see to it that there occurs no incident of booth capturing, false voting and vote rigging. In order to bar these malpractices it can request the government for deploying the police or the army officials near the polling booths.
9. The Election Commission needs to constantly watch the behaviour of all the political parties during the elections and ensure they follow the code of conduct.
10. Malpractices such as booth capturing and vote rigging demand cancellation of elections in those particular areas. It is the responsibility of the Election Commission to cancel the polls during such times of crises. The autonomous body subsequently requires announcing fresh election dates and make the required arrangements for the same.
11. The Election Commission also needs to identify the candidates who have not filed their election returns on time and disqualify them subsequently.
12. The Election Commission also needs to keep an eye on the MPs and MLAs to ensure they aren't indulging in any malpractices. In case they are found doing so, then EC needs to inform the same to the president and advice him to take necessary action.
13. The Election Commission needs to feed media with regular updates regarding the preparation of the upcoming elections.
14. The Election Commission needs to review the election process regularly and look for new and innovated ways to enhance it. It has incorporated many new methods in the past.

The role of the Election Commission is not easy. It needs to stay vigilant at all times and observe every little detail to make sure the elections are conducted efficiently without any glitch. A lot of hard work goes into

this. EC begins preparing for the same months before the commencement of elections and needs to be on its toes until the polling results are out.

11.8.1 Values of the Election Commission

The Election Commission is a body that stands for integrity and excellence. It follows some rules for its functioning. The most important is to uphold the Constitution and its ideas like equality, justice, fairness and rule of law.

It aims to hold elections with the highest standards of fairness. The Election Commission develops human skills, as well as the infrastructure needed for elections. It also spreads awareness about the importance of voting.

Election Commission strives to increase the participation of citizens in elections and also engages with political parties and their vision. Finally, the body has to adopt new technologies (like the recent electronic voting machines in news) and new methods for conducting elections well.

11.8.2 Powers and Functions

There are three main types of powers of the Election Commission- to advise, to administer and quasi-judicial powers. Under the first type, it advises the President and the Governor regarding disqualifying members of Parliament and state assemblies. In the second type, the office marks areas for elections, makes electoral rolls, controls and oversees elections, etc. Finally, under quasi-judicial powers, the office also acts as a court for settling fights regarding recognition of political parties and their symbols.

Check your Progress-3

Note: i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

5. Discuss the composition of election commission of India.

6. Discuss the role and responsibilities of election commission of India.

11.9 LET US SUM UP

The current commission was established in 1950 when it had a Chief Election Commissioner appointed. Membership increased on 16 October 1989 to three with the increase of two Commissioners were appointed to the commission. That commission ceased on 1 January 1990 when The Election Commissioner Amendment Act, 1989 superseded the earlier the commission; it continues in operation.. Decisions by the commission are by at least a majority vote. The fundamental pursuit of democracy is elections at regular intervals. Holding periodic, free and fair elections are essentials of a democratic system and a part fundamental aspect of the Constitution. The Election Commission is regarded as India's guardian of elections. Starting with the 1971 5th Lok Sabha elections, the commission has issued for each election an advisory Model Code of Conduct instructions to be adhered to by political parties and candidates although there is no constitutional statutory power or obligation to do so. Instances of violation of the code by various political parties with complaints being received for misuse of official machinery by the candidates has happened. The code does not have any specific statutory basis but only a persuasive effect. It contains the rules of electoral morality. The Election Commission had tried to bring improvements in election procedures by the introduction of Electronic voting machines or EVMs. It was viewed that these would reduce malpractices and improves efficiency. It was first tried out on an experimental basis in the state of Kerala for the 1982 Legislative Assembly Elections. After a successful testing and the legal inquiries, the commission took the

decision to begin the use of these voting machines. The Election Commission of India has advisory jurisdiction in terms of post-election ineligibility of sitting members of the Parliament and State Legislature. Cases where an individual is found guilty of malpractice at elections by the Supreme Court or High Courts are referred to the ECI for its opinion of the said person's disqualification. In such cases, the judgement passed by the ECI is final and binding on the President of India or the Governor as per Jurisdiction. The Election Commission of India, headquartered in New Delhi, consists of three major members. These include the Chief Election Commissioner and two election commissioners. These members are entrusted to head the commission and conduct free and fair elections in the country. Election Commission of India has been assigned a great responsibility. Its key role is to oversee the process of elections in the country and ensure smooth completion of the same. To further this objective, it needs to perform several functions. Consisting of a three member group, the Election Commission of India has the power to seek help from other government officials and professionals to accomplish various tasks related to the election process, if need arises.

11.10 KEYWORDS

- Structure of election commission: The current commission was established in 1950 when it had a Chief Election Commissioner appointed
- Functions of election commission: In an attempt to decriminalise politics, the Election Commission has approached the Supreme Court to put a lifetime ban on convicted politicians from contesting elections.
- Important facts of election commission of India:

Election Commission of India was formed in the year 1950.

Election Commission is an independent and permanent body.

Notes

- Role and responsibilities of election commission of India: The Election Commission requires planning the election schedule. A lot of planning goes into it. The Chief Election Commissioner of India announces the schedule via press conference. The prospective candidates can file for nominations thereafter.

11.11 QUESTIONS FOR REVIEW

1. Discuss the structure of election commission.
2. Discuss the function of election commission.
3. Discuss the electors with disabilities.
4. Discuss the administrative powers.
5. Discuss the composition of election commission of India.
6. Discuss the role and responsibilities of election commission of India.

11.12 SUGGESTED READINGS AND REFERENCES

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2. **a b c d e f** "About ECI". Election Commission of India. Retrieved 9 September 2017.
3. "The Presidential and Vice-Presidential Elections Act, 1952 (Act No. 31 of 1952)" (PDF). Election Commission of India. 14 March 1952. Archived from the original (PDF) on 9 October 2010. Retrieved 9 September 2017.
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6. "The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 (Act No. 11 of 1991)" (PDF). Ministry of Law and Justice, Government of India. 25 January 1991. Archived from the original (PDF) on 29 March 2017. Retrieved 9 September 2017.
7. **ab** Laxmikanth, M (2017). Indian Polity. McGraw Hill. p. 42.5. ISBN 9789352603633.

11.13 ANSWERS TO CHECK YOUR PROGRESS

1. The current commission was established in 1950 when it had a Chief Election Commissioner appointed. Membership increased on 16 October 1989 to three with the increase of two Commissioners were appointed to the commission. That commission ceased on 1 January 1990 when The Election Commissioner Amendment Act, 1989 superseded the earlier the commission; it continues in operation.. Decisions by the commission are by at least a majority vote. The Chief Election Commissioner and the two Election Commissioners who are usually retired IAS officers draw salaries and allowances as per with those of the Judges of the Supreme Court of India as per the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Rules, 1992.

The commission secretariat is based in New Delhi which includes the Election Commissioners, Deputy Election Commissioners (usually IAS officers) Directors General, Principal Secretaries, Secretaries and Under Secretaries.

Administration is generally by state with the Chief Electoral Officer of the State, who is an IAS officer of Principal Secretary rank. At the district and constituency levels, the District Magistrates (in their capacity as District Election Officers), Electoral Registration Officers and Returning Officers perform election work.

Notes

2. The fundamental pursuit of democracy is elections at regular intervals. Holding periodic, free and fair elections are essentials of a democratic system and a part fundamental aspect of the Constitution. The Election Commission is regarded as India's guardian of elections. Starting with the 1971 5th Lok Sabha elections, the commission has issued for each election an advisory Model Code of Conduct guidelines to be adhered to by political parties and candidates although there is no constitutional statutory power or obligation to do so. Instances of violation of the code by various political parties with complaints being received for misuse of official machinery by the candidates has happened. The code does not have any specific statutory basis but only a persuasive effect. It contains the rules of electoral morality.

In 1989, political parties were required to register with the commission. Avoiding confusion is the objective of the registration with the commission.

The commission has the power to designate political party insignia and is prohibited from allowing the same insignia by two different parties regardless of differing locations. It set limits on poll expenses. The commission is responsible for maintenance of the electoral rolls and establishing the schedules of elections.

The commission is empowered with prohibiting dissemination or publication of voting trends that seek to influence voters by opinion polls or exit polls.

To curb the growing influence of money during elections, the Election Commission has made many suggestions and changes in this regard. The commission has appointed IRS officers of the Income Tax Department as Election Observers (Expenditure) of all elections and has fixed the legal limits on the amount of money which a candidate can spend during election campaigns. These limits have been revised over time. The Election Commission, by appointing expenditure observers from the Indian Revenue Service, keeps an eye on the individual account of election expenditure. The commission takes details of the candidate's assets on affidavit at the time of submitting nomination paper, who are also required to give details of their expenditure within 30 days of the declaration of results. The campaign period has also been reduced by the

commission from 21 to 14 days for Lok Sabha and Assembly elections to cut down election expenditure.

In an attempt to decriminalise politics, the Election Commission has approached the Supreme Court to put a lifetime ban on convicted politicians from contesting elections.

3.The Election Commission of India came under severe criticism when an RTI application filed by activist Dr Satendra Singh revealed the commission's ill-preparedness to safeguard electors with disabilities in the 2014 Lok Sabha elections. There were many violations of the Supreme Court order from 2014 to enfranchise persons with disabilities.

2017 Hackathon

Election Commission organised an open Hackathon on 3 June 2017, to attempt hacking of Electronic Voting Machine used by the commission in various Indian elections. The NCP and CPI(M) were the only two parties that registered for the event but none of them participated. Functioning of EVMs and VVPAT machines were demonstrated to the teams.

4. Allotting territorial areas for electoral constituencies in the country

- Organise and amend electoral rolls and register eligible voters
- Inform dates and schedule of elections and scrutinize nomination papers
- Give recognition to political parties and assign election symbols to them.
- ECI appoints the following seats:
 - Chief Electoral Officer
 - District Election Officer
 - Returning Officer
 - Electoral Registration Officer

Notes

5. The Chief Election Commissioner is the head of the body. The body was set up in 1950 with only one officer – The Chief Election Commissioner, appointed by the President. But in 1993, it grew and also included two more election commissioners. They hold office for six years or till they are 65 years old, whichever is earlier. Yet, they can still step down from office or be removed anytime before that.

The Constitution makes sure that the Election Commission remains an independent body that is not controlled by changing powers at the centre. It does so, by making sure that it is very difficult to remove them from office. Even their service conditions cannot be changed. This is very important so that free and fair elections can take place in India, without different political parties spoiling or interfering with the process.

6. Here is a closer look at the various responsibilities and functions of the Election Commission of India:

Election Commission of India needs to conduct the following elections:

- Lok Sabha elections
- Rajya Sabha elections
- Parliament and State Legislature by-elections
- President and Vice President elections

The Election Commission also makes arrangements for by-elections and conducts them if needed.

The Election Commission requires planning the election schedule. A lot of planning goes into it. The Chief Election Commissioner of India announces the schedule via press conference. The prospective candidates can file for nominations thereafter.

The Election Commission thoroughly assesses any new political party formed to contest elections. It is only after proper scrutiny that the Election Commission recognizes and validates the newly formed party. EC also assigns a symbol to the party.

The Election Commission needs to prepare the electoral rolls for the election. It should ascertain that the electoral rolls prepared are correct. Every voter registered to vote should be allowed to do so.

The Election Commission applies the Model Code of Conduct in the areas where the elections are to be held. It also keeps a check on whether the code of conduct is being followed or not. It issues notices to the parties violating the defined code of conduct.

The Election Commission of India also needs to appoint election observers to make sure the elections are conducted in a fair manner. It needs to invest time, looking for reliable candidates to handle this position.

The Election Commission must see to it that there occurs no incident of booth capturing, false voting and vote rigging. In order to bar these malpractices it can request the government for deploying the police or the army officials near the polling booths.

The Election Commission needs to constantly watch the behaviour of all the political parties during the elections and ensure they follow the code of conduct.

Malpractices such as booth capturing and vote rigging demand cancellation of elections in those particular areas. It is the responsibility of the Election Commission to cancel the polls during such times of crises. The autonomous body subsequently requires announcing fresh election dates and make the required arrangements for the same.

The Election Commission also needs to identify the candidates who have not filed their election returns on time and disqualify them subsequently.

The Election Commission also needs to keep an eye on the MPs and MLAs to ensure they aren't indulging in any malpractices. In case they are found doing so, then EC needs to inform the same to the President and advice him to take necessary action.

The Election Commission needs to feed media with regular updates regarding the preparation of the upcoming elections.

Notes

The Election Commission needs to review the election process regularly and look for new and innovated ways to enhance it. It has incorporated many new methods in the past.

The role of the Election Commission is not easy. It needs to stay vigilant at all times and observe every little detail to make sure the elections are conducted efficiently without any glitch. A lot of hard work goes into this. EC begins preparing for the same months before the commencement of elections and needs to be on its toes until the polling results are out.

UNIT-12: ANTI DEFECTION LAW

STRUCTURE

12.0 Objectives

12.1 Introduction

12.2 Concept of anti-defection law

12.3 The Anti-Defection Law explained

12.4 Anti defection law says

12.5 History of anti-defection law

12.6 Points to be noted regarding anti defection law

12.6.1 Possible reforms that can be made to defection law

12.6.2 Discuss the concerns raised against the current anti

defection law.

12.7 Let us sum up

12.8 Keywords

12.9 Questions For Review

12.10 Suggested Readings And References

12.11 Answers To Check Your Progress

12.0 OBJECTIVES

After studying this unit, you should be able to:

- Learn about the Concept of Anti Defection Law
- Learn about History of Anti Defection Law
- Understand what is the Points regarding the Anti-Defection Law
- Learn about the possible reforms of the Anti-Defection Law

12.1 INTRODUCTION

The 'Anti-Defection Law' was passed through an Act of Parliament in 1985 by the the government of Rajiv Gandhi. Passed as the 52nd

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Amendment Act, it added the law as the 10th Schedule of the Constitution.

In its official documentation of the amendment, the Law Ministry lists down the objectives of the Act, an excerpt of which is: The evil of political defections has been a matter of national concern. If it is not combated, it is likely to undermine the very foundations of our democracy and the principles which sustain it. With this object, an assurance was given in the Address by the President to Parliament that the Government intended to introduce in the current session of Parliament an Anti-Defection Bill.

An archived version of the documentation officially provided by the Law Ministry can be found [here](#).

What all does the Anti-Defection Law cover?

It states that members who do the following will lose their membership any House (which could be at the Centre or in a State) if they:

1. Voluntary resign from their political party from which they have been elected
2. Vote against the direction of their political party (in legislature)
3. Does not vote/abstain from voting (in legislature) despite having a direction to vote from their party.

2. and 3. do not apply if the member has prior permission from his/her party or the party condones the member's action within 15 days of the voting.

Members independent of any political party will lose their membership if they join one after their election to legislature.

Nominated members will lose their membership if they join a party within 6 months of their nomination to legislature.

12.2 CONCEPT OF ANTI DEFLECTION LAW

The political class made a commitment when parliament passed the tenth schedule of the constitution, popularly known as the anti-defection law, to maintain the integrity and stability of the party system. Their whole-

hearted support to the constitution (52nd amendment) Bill which incorporated the tenth schedule in the constitution signified that commitment.

Thirty-four years later, that commitment seems to hold no value. Elected representatives are very much engaged in familiar party-hopping tactics. The mass exodus of MLAs from the vanquished Congress to victorious parties shows that they have no respect for the anti-defection law.

Earlier, the 'aaya Ram, gaya Ram' phenomenon had created an alarming level of political instability. Governments fell frequently as elected representatives exercises their 'freedom of movement' a little too literally.

Now, a new phenomenon is at play. MLAs, corporators etc. belonging to defeated parties have started migrating in large number to winning parties. This means parties that lose elections are all but wiped out of legislative bodies. Top leaders from victorious parties openly encourage representatives of defeated parties to defect.

Defection is a politically immoral act, and the Anti-Defection Law ought to have stamped it out. If people have chosen a representative from one party, she has no moral or legal right to defect to another party during her tenure. The tenth schedule disqualifies such representatives, and their legislature membership is terminated. Nevertheless, Defection continue. People defect in groups and thus defeat the law.

12.3 THE ANTI DEFECTION LAW EXPLAINED

On Monday, December 4, the Chairman of Rajya Sabha disqualified two Members of Parliament (MPs) from the House under the Tenth Schedule of the Constitution (better known as the anti-defection law) for having defected from their party. These members were elected on a Janata Dal (United) ticket. The Madras High Court is also hearing petitions filed by 18 MLAs who were disqualified by the Speaker of the Tamil Nadu Assembly in September 2017 under the anti-defection law. Allegations

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of legislators defecting in violation of the law have been made in several other states including Andhra Pradesh, Arunachal Pradesh, Goa, Manipur, Nagaland, Telangana and Uttarakhand in recent years. In this context, we explain the anti-defection law.

What is the anti-defection law?

Aaya Ram Gaya Ram was a phrase that became popular in Indian politics after a Haryana MLA Gaya Lal changed his party thrice within the same day in 1967. The Anti-Defection law sought to prevent such political defections which may be due to reward of office or other similar considerations.

The Tenth Schedule was inserted in the Constitution in 1985. It lays down the process by which legislators may be disqualified on grounds of defection by the Presiding Officer of a legislature based on a petition by any other member of the House. A legislator is deemed to have defected if he either voluntarily gives up the membership of his party or disobeys the directives of the party leadership on a vote. This implies that a legislator defying (abstaining or voting against) the party whip on any issue can lose his membership of the House. The law applies to both Parliament and state assemblies.

Are there any exceptions under the law?

Yes, legislators may change their party without the risk of disqualification in certain circumstances. The law allows a party to merge with or into another party provided that at least two-thirds of its legislators are in favour of the merger. In such a scenario, neither the members who decide to merge, nor the ones who stay with the original party will face disqualification.

Various expert committees have recommended that rather than the Presiding Officer, the decision to disqualify a member should be made by the President (in case of MPs) or the Governor (in case of MLAs) on the advice of the Election Commission. This would be similar to the process followed for disqualification in case the person holds an office of profit (i.e. the person holds an office under the central or state

government which carries a remuneration, and has not been excluded in a list made by the legislature).

How has the law been interpreted by the Courts while deciding on related matters?

The Supreme Court has interpreted different provisions of the law. We discuss some of these below.

The law provides for a member to be disqualified if he ‘voluntarily gives up his membership’. However, the Supreme Court has interpreted that in the absence of a formal resignation by the member, the giving up of membership can be inferred by his conduct. In other judgments, members who have publicly expressed opposition to their party or support for another party were deemed to have resigned.

In the case of the two JD(U) MPs who were disqualified from Rajya Sabha on Monday, they were deemed to have ‘voluntarily given up their membership’ by engaging in anti-party activities which included criticizing the party on public forums on multiple occasions, and attending rallies organised by opposition parties in Bihar.

The law initially stated that the decision of the Presiding Officer is not subject to judicial review. This condition was struck down by the Supreme Court in 1992, thereby allowing appeals against the Presiding Officer’s decision in the High Court and Supreme Court. However, it held that there may not be any judicial intervention until the Presiding Officer gives his order.

In 2015, the Hyderabad High Court, refused to intervene after hearing a petition which alleged that there had been delay by the Telangana Assembly Speaker in acting against a member under the Anti-Defection Law.

Is there a time limit within which the Presiding Officer has to decide?

The law does not specify a time-period for the Presiding Officer to decide on a disqualification plea. Given that courts can intervene only after the Presiding Officer has decided on the matter, the petitioner

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seeking disqualification has no option but to wait for this decision to be made.

There have been several cases where the Courts have expressed concern about the unnecessary delay in deciding such petitions. In some cases this delay in decision making has resulted in members, who have defected from their parties, continuing to be members of the House. There have also been instances where opposition members have been appointed ministers in the government while still retaining the membership of their original parties in the legislature.

In recent years, opposition MLAs in some states, such as Andhra Pradesh and Telangana, have broken away in small groups gradually to join the ruling party. In some of these cases, more than $2/3^{\text{rd}}$ of the opposition has defected to the ruling party.

In these scenarios, the MLAs were subject to disqualification while defecting to the ruling party in smaller groups. However, it is not clear if they will still face disqualification if the Presiding Officer makes a decision after more than $2/3^{\text{rd}}$ of the opposition has defected to the ruling party. The Telangana Speaker in March 2016 allowed the merger of the TDP Legislature Party in Telangana with the ruling TRS, citing that in total, 80% of the TDP MLAs (12 out of 15) had joined the TRS at the time of taking the decision.

In Andhra Pradesh, legislators of the main opposition party recently boycotted the entire 12-day assembly session. This boycott was in protest against the delay of over 18 months in action being taken against legislators of their party who have allegedly defected to the ruling party. The Vice President, in his recent order disqualifying two JD(U) members stated that all such petitions should be decided by the Presiding Officers within a period of around three months.

Does the Anti-Defection Law affect the ability of legislators to make decisions?

The anti-defection law seeks to provide a stable government by ensuring the legislators do not switch sides. However, this law also restricts a legislator from voting in line with his conscience, judgement and

interests of his electorate. Such a situation impedes the oversight function of the legislature over the government, by ensuring that members vote based on the decisions taken by the party leadership, and not what their constituents would like them to vote for.

Political parties issue a direction to MPs on how to vote on most issues, irrespective of the nature of the issue. Several experts have suggested that the law should be valid only for those votes that determine the stability of the government (passage of the annual budget or no-confidence motions).

12.4 THE ANTI DEFECTION LAW SAYS

The 10th Schedule to the Constitution, popularly referred to as the 'Anti-Defection Law,' was inserted by the 52nd Amendment in 1985.

A member would incur a disqualification under paragraph 2 (1) (a) when he "voluntarily gives up his membership of a party" and under 2 (1) (b) when he/she votes (or abstains from voting) contrary to the directive issued by the party.

Two important questions arise in this regard: what would constitute the member 'voluntarily' giving up of membership of a party? And, what is the full import of 2 (1) (b), wherein voting/abstention from voting against the party is mentioned?

The Supreme Court, in the Ravi Naik vs. Union of India case, has interpreted the phrase 'voluntarily gives up his membership.' It says: "The words 'voluntarily gives up his membership' are not synonymous with 'resignation' and have a wider connotation. A person may voluntarily give up his membership of a political party even though he has not tendered his resignation from the membership of that party.

"Even in the absence of a formal resignation from membership, an inference can be drawn from the conduct of a member that he has voluntarily given up his membership of the political party to which he belongs."

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In another judgment in the case of Rajendra Singh Rana vs. Swami Prasad Maurya and Others, the Supreme Court held that the act of giving a letter requesting the Governor to call upon the leader of the other side to form a Government itself would amount to an act of voluntarily giving up membership of the party on whose ticket the said members had got elected.

Check your Progress-1

Note: i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss the concept of anti defection law.

2. Discuss the explanation of anti defection law.

12.5 HISTORY OF ANTI DEFECTION LAW

Before discussing the existing provisions of anti-defection law, the researcher deems it fit to discuss the history of the Anti-Defection law in India. It is necessary to discuss the history of the Tenth Schedule to the Constitution of India to understand the aims, objectives and provisions of the different Constitutional Amendment Bill which led to the incorporation of the Tenth Schedule to the Constitution of India. It is the historical background of the anti-defection law which throws light over the rationale behind the introduction of Anti-defection law in India. The problem of defections has not been new to the functioning of the Indian

Parliamentary democracy. Indian politics had seen defections right from the pre-independence Central Legislative Assembly and Provincial autonomy days. During Montford Reforms, ShyamLal Nehru, a member of the Central Legislature who was elected on the Congress ticket but subsequently he crossed the floor and joined the British Side. At that time Pandit MotiLal Nehru who was leader of the Assembly party strongly criticized and condemned him and Mr. ShyamLal Nehru was expelled from the party.³⁶ In 1948 the Congress Socialist Party left the Congress and directed all its members to resign from their seats in the assemblies and to seek re-election. But this ideal could not become a precedent. In Uttar Pradesh, again in 1950, twenty three MLAs defected from the Congress and formed the Jana Congress. Again in 1958 some ninety eight MLAs openly defied the Government which led to the fall of the Sampurnanand ministry. The Praja Socialist Party (PSP) is a good case study of defections. In 1953 the PSP leader Prakasam defected from the PSP and joined the Congress to form the Government in Andhra Pradesh. ³⁷Thanu Pillai from the Travancore-Cochin is another instance of defection from the PSP. More or less some defections have been taking place in all the states but did not succeed to create more than a ripple. For instance, during the period 1957-1967, ninety seven members defected from the Congress and 419 defected to it. While in 1967-68 within a year 175 defected from it and 139 defected to it. During the period of 1957-1967, ninety three defected from the PSP and only 11 to it.

The Election Commission of India in 1977 made a specific recommendation that defection of legislators from one political party to another should be prohibited by providing that some other disqualifications culminating into vacation of seat should result from such defection. The Election Commission of India had expressed its dissatisfaction regarding the unethical practice of defection which adversely affected the Indian democracy and said that- "The Fourth General Elections of 1967 brought in its trail a wind of swift changes in the political atmosphere of this country. That wind is still blowing sometimes with the velocity of a storm and other times at a lower speed. Perhaps in a developing democracy as ours is that is not quite unexpected

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and that may even be regarded as teething trouble of a healthy growing child. When the results of the Fourth General Elections of 1967 were declared, it was found that the Indian National Congress which had till then have been the dominant political party throughout India had lost its majority in a number of State Legislative Assemblies and its majority in the House of People had also drastically dwindled. This not only resulted in the formation of non-congress Governments in a number of State Assemblies but also forgot the election promises and pledges held out to the electorate at the time of election by and on behalf of parties by whom they were sponsored and started defecting in large numbers in quick succession from their respective parties. The elected representatives forgot that defection and re-defection from one party to another is not paying in the long-run, and more often than not it acts as a boomerang hitting the person by whom it is resorted to. The moral consequences of defection and floor-crossing are sometimes far-reaching and serious.

31 January 1985

Anti-Defection Law passed by Parliament

On 31 January 1985, the Constitution (52nd Amendment) Bill was passed by the Rajya Sabha.

Background

- The 52nd Amendment Act, more commonly known as the anti-defection law was passed by the Rajya Sabha in 1985 under the Rajiv Gandhi government.
- The bill had been passed by the lower house the previous day. It received the presidential assent in February 1985.
- This law is contained in the Tenth Schedule of the Constitution. Articles 101, 102, 190 and 191 were changed.
- Defection basically means a person quits his/her political party and joins another one, especially the winning party in an election,

in order to gain personal benefits such as a ministry or other plum posts in the new government.

- The 1967 elections proved to be a seminal moment in India's electoral history. Elections were conducted in about 16 states in the country that year.
- The Congress Party was able to form government in only one of the states and had lost its majority in others.
- The country then saw a barrage of defections. About 142 MPs and 1900 MLAs switched loyalties to gain ministries. In Haryana, one MLA Gaya Ram changed his party three times on a single day! It was then that the phrase 'Aaya Ram, Gaya Ram' ensued for defectors.
- In spite of this travesty of the democratic process, the issue was addressed only in 1985.
- The 52nd Amendment established the process to be followed while disqualifying legislators who defected.
- As per this law, a person can be disqualified on grounds of defection when:
 - A member of a political party voluntarily resigns from his party or disobeys the party leadership's directives on a vote.
 - A member of a political party does not vote as per the party whip or abstains from voting unless he/she has taken prior permission, or is condoned by the party within 15 days of such voting or abstention.
 - A member who has been elected as an 'independent' joins a political party.
 - A nominated member joins a party six months after he becomes a legislative member.

Exceptions to defection:

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- A person who is elected as the Speaker or the Chairman could resign from his party and then re-join that party if he/she demits that post.
- In case of merger of two parties: In this case, at least 1/3rd of the party legislators should vote for such a merger. Neither would the members who joined the new party nor those who decided to remain with the old party would be considered defectors. In 2003, the 91st Amendment Act was passed which made this number 2/3rd of the party legislators.

Experts have pointed out several loopholes in this law. The first one is that the term ‘voluntarily resigns from his party’ or ‘voluntarily gives up membership from his party’ is rather vague.

Another big lacuna is that the speaker or the chairman is given arbitrary power in deciding the matter of defection. Earlier, the decision taken by the presiding officer was not subject to judicial review. But from 1992, the Supreme Court allowed appeals against the presiding officer’s orders.

One obvious problem is that there is no prescribed time limit given to the presiding officer in deciding the matter.

Experts also point out that this law doesn’t allow legislators to vote in agreement to their own judgement, morality and conscience in the house. They have to follow the party whip. It is suggested that this rule be limited only to those votes where the stability of the government was in question and not on other subjects because otherwise the freedom of speech of the legislator was being impinged upon.

There is no doubt that an anti-defection law is absolutely necessary to stop power-hungry representatives from making a mockery of the electoral process. However, the present law also needs to be looked into.

12.6 POINTS TO BE NOTED REGARDING ANTI DEFECTION LAW

- Articles 102 (2) and 191 (2) deals with anti-defection.
- The intention of the provision is to check the corruption/horse trading in parliament/ to check the popular phenomenon ‘Aaya Ram Gaya Ram’ in the Indian polity which started in 1960’s .
Note: The intention was never “*to bring stability*” to governments.
- The law disallows MPs/ MLAs to switch parties after elections, make the members follow the whips issued by their party.
- It also applies to a nominated member if he/ she joins a political party after 6 months of nomination and to an independent candidate if he/she joins a party after the election.
- Refer the parliament handbook if you need to know the detailed provisions of anti-defection.

11.6.1 Possible reforms that can be made to Anti Defection Law

- Nowadays, no real democratic discussions happen inside political parties about major issues affecting the country. Individual MPs and MLAs need to be empowered to think independently.
- Anti-defection law should be applied only to confidence and no-confidence motions (Dinesh Goswami Committee on electoral reforms, 1990) or only when the government is in danger (Law Commission (170th report, 1999).
- The rationale that a representative is elected on the basis of the party’s programme can be extended to pre-poll alliances.
- Instead of making Speaker the authority for disqualification, the decision should be made by the president or the governor on the advice of the Election Commission. This would make the

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process similar to the disqualification procedure as given in Representation of Peoples Act (RPA).

- There can be additional penalties for defectors as well.

11.6.2 Concerns raised against the current anti-defection law

- It affects the independence of MPs/ MLAs.
- Constitution drafters didn't intend to give the control of members to political parties. Interestingly, it's only in the 10th schedule, which was included in 1985 that political parties are mentioned in constitution. (Also chief whip).
- Many members speak up their mind and conviction –*more discussion* and thus better debates and solutions in parliament. Anti-defection law is against this.
- In a diverse country like India, members also represent their constituencies. Hence, every member needs to be given voice to give voice to all regions and sections of the population.
- No incentive for MPs/MLAs to *research* and understand on policies.

Check your Progress-2

Note: i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

3. Discuss the history of anti-defection law.

4. Discuss the concerns raised against the current anti defection law.

11.7 LET US SUM UP

The political class made a commitment when parliament passed the tenth schedule of the constitution, popularly known as the anti-defection law, to maintain the integrity and stability of the party system. Their wholehearted support to the constitution (52nd amendment) Bill which incorporated the tenth schedule in the constitution signified that commitment.

Thirty-four years later, that commitment seems to hold no value. Elected representatives are very much engaged in familiar party-hopping tactics. The mass exodus of MLAs from the vanquished Congress to victorious parties shows that they have no respect for the anti-defection law.

Earlier, the ‘Aaya Ram, Gaya Ram’ phenomenon had created an alarming level of political instability. Governments fell frequently as elected representative’s exercises their ‘freedom of movement’ a little too literally. *Aaya Ram Gaya Ram* was a phrase that became popular in Indian politics after a Haryana MLA Gaya Lal changed his party thrice within the same day in 1967. The anti-defection law sought to prevent such political defections which may be due to reward of office or other similar considerations. The Tenth Schedule was inserted in the Constitution in 1985. It lays down the process by which legislators may be disqualified on grounds of defection by the Presiding Officer of a legislature based on a petition by any other member of the House. The Supreme Court, in the Ravi Naik vs. Union of India case, has interpreted the phrase ‘voluntarily gives up his membership.’ It says: “The words ‘voluntarily gives up his membership’ are not synonymous with ‘resignation’ and have a wider connotation. A person may voluntarily give up his membership of a political party even though he has not tendered his resignation from the membership of that party.. It is the historical background of the anti-defection law which throws light over the rationale behind the introduction of Anti-defection law in India. The problem of defections has not been new to the functioning of the Indian Parliamentary democracy.

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The intention of the provision is to check the corruption/horse trading in parliament/ to check the popular phenomenon ‘Aaya Ram Gaya Ram’ in the Indian polity which started in 1960’s . Note: The intention was never “to bring stability” to governments.

The law disallows MPs/ MLAs to switch parties after elections, make the members follow the whips issued by their party.

11.8 KEYWORDS

- Anti-defection law explained: *Aaya Ram Gaya Ram* was a phrase that became popular in Indian politics after a Haryana MLA Gaya Lal changed his party thrice within the same day in 1967.
- History of Anti defection law: Before discussing the existing provisions of anti-defection law, the researcher deems it fit to discuss the history of the Anti-Defection law in India.
- Points of Anti defection law: Articles 102 (2) and 191 (2) deals with anti-defection.

11.9 QUESTIONS FOR REVIEW

1. Discuss the concept of anti-defection law.
2. Discuss the explanation of anti-defection law.
3. Discuss the history of anti-defection law.
4. Discuss the concerns raised against the current anti defection law.

12.10 SUGGESTED READINGS AND REFERENCES

1. The Constitution (52nd Amendment) Act, 1985
2. Report of the Committee on Electoral Reforms, 1990

3. Ravi Naik vs Union of India, 1994
4. Sabotage of Anti-Defection Law in Telangana, 2015
5. Speaker, Haryana Vidhan Sabha vs Kuldeep Bishnoi & Ors., 2012
6. Anti-Defection Law Ignored, November 30, 2017

12.11 ANSWERS TO CHECK YOUR PROGRESS

1. The political class made a commitment when parliament passed the tenth schedule of the constitution, popularly known as the anti-defection law, to maintain the integrity and stability of the party system. Their whole-hearted support to the constitution (52nd amendment) Bill which incorporated the tenth schedule in the constitution signified that commitment.

Thirty-four years later, that commitment seems to hold no value. Elected representatives are very much engaged in familiar party-hopping tactics. The mass exodus of MLAs from the vanquished Congress to victorious parties shows that they have no respect for the anti-defection law.

Earlier, the 'Aaya Ram, Gaya Ram' phenomenon had created an alarming level of political instability. Governments fell frequently as elected representatives exercised their 'freedom of movement' a little too literally.

Now, a new phenomenon is at play. MLAs, corporators etc. belonging to defeated parties have started migrating in large number to winning parties. This means parties that lose elections are all but wiped out of legislative bodies. Top leaders from victorious parties openly encourage representatives of defeated parties to defect.

Defection is a politically immoral act, and the anti-defection law ought to have stamped it out. If people have chosen a representative from one party, she has no moral or legal right to defect to another party during her tenure. The tenth schedule disqualifies such representatives, and their

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legislature membership is terminated. Nevertheless, defection continue. People defect in groups and thus defeat the law.

2. *Aaya Ram Gaya Ram* was a phrase that became popular in Indian politics after a Haryana MLA Gaya Lal changed his party thrice within the same day in 1967. The anti-defection law sought to prevent such political defections which may be due to reward of office or other similar considerations.

The Tenth Schedule was inserted in the Constitution in 1985. It lays down the process by which legislators may be disqualified on grounds of defection by the Presiding Officer of a legislature based on a petition by any other member of the House. A legislator is deemed to have defected if he either *voluntarily gives up the membership of his party or disobeys the directives of the party leadership on a vote*. This implies that a legislator defying (abstaining or voting against) the party whip on any issue can lose his membership of the House. The law applies to both Parliament and state assemblies.

The anti-defection law seeks to provide a stable government by ensuring the legislators do not switch sides. However, this law also restricts a legislator from voting in line with his conscience, judgement and interests of his electorate. Such a situation impedes the oversight function of the legislature over the government, by ensuring that members vote based on the decisions taken by the party leadership, and not what their constituents would like them to vote for.

Political parties issue a direction to MPs on how to vote on most issues, irrespective of the nature of the issue. Several experts have suggested that the law should be valid only for those votes that determine the stability of the government (passage of the annual budget or no-confidence motions).

3. Before discussing the existing provisions of anti-defection law, the researcher deems it fit to discuss the history of the Anti-Defection law in India. It is necessary to discuss the history of the Tenth Schedule to the Constitution of India to understand the aims, objectives and provisions of the different Constitutional Amendment Bill which led to the

incorporation of the Tenth Schedule to the Constitution of India. It is the historical background of the anti-defection law which throws light over the rationale behind the introduction of Anti-defection law in India. The problem of defections has not been new to the functioning of the Indian Parliamentary democracy. Indian politics had seen defections right from the pre-independence Central Legislative Assembly and Provincial autonomy days. During Montford Reforms, Shyam Lal Nehru, a member of the Central Legislature who was elected on the Congress ticket but subsequently he crossed the floor and joined the British Side. At that time Pandit MotiLal Nehru who was leader of the Assembly party strongly criticized and condemned him and Mr. Shyam Lal Nehru was expelled from the party.³⁶ In 1948 the Congress Socialist Party left the Congress and directed all its members to resign from their seats in the assemblies and to seek re election. But this ideal could not become a precedent. In Uttar Pradesh, again in 1950, twenty three MLAs defected from the Congress and formed the Jana Congress. Again in 1958 some ninety eight MLAs openly defied the Government which led to the fall of the Sampurnanand ministry. The Praja Socialist Party (PSP) is a good case study of defections. In 1953 the PSP leader Prakasam defected from the PSP and joined the Congress to form the Government in Andhra Pradesh. ³⁷Thanu Pillai from the Travancore-Cochin is another instance of defection from the PSP. More or less some defections have been taking place in all the states but did not succeed to create more than a ripple. For instance, during the period 1957-1967, ninety seven members defected from the Congress and 419 defected to it. While in 1967-68 within a year 175 defected from it and 139 defected to it. During the period of 1957-1967, ninety three defected from the PSP and only 11 to it.

The Election Commission of India in 1977 made a specific recommendation that defection of legislators from one political party to another should be prohibited by providing that some other disqualifications culminating into vacation of seat should result from such defection. The Election Commission of India had expressed its dissatisfaction regarding the unethical practice of defection which adversely affected the Indian democracy and said that- “The Fourth

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General Elections of 1967 brought in its trail a wind of swift changes in the political atmosphere of this country. That wind is still blowing sometimes with the velocity of a storm and other times at a lower speed. Perhaps in a developing democracy as ours is that is not quite unexpected and that may even be regarded as teething trouble of a healthy growing child.”⁵⁶ “When the results of the Fourth General Elections of 1967 were declared, it was found that the Indian National Congress which had till then have been the dominant political party throughout India had lost its majority in a number of State Legislative Assemblies and its majority in the House of People had also drastically dwindled. This not only resulted in the formation of non-congress Governments in a number of State Assemblies but also forgot the election promises and pledges held out to the electorate at the time of election by and on behalf of parties by whom they were sponsored and started defecting in large numbers in quick succession from their respective parties. The elected representatives forgot that defection and re-defection from one party to another is not paying in the long-run, and more often than not it acts as a boomerang hitting the person by whom it is resorted to. The moral consequences of defection and floor-crossing are sometimes far-reaching and serious.

- It affects the *independence* of MPs/ MLAs.
- Constitution drafters didn’t intend to give the control of members to political parties. Interestingly, it’s only in the 10th schedule, which was included in 1985 that political parties are mentioned in constitution. (Also chief whip).
- Many members speak up their mind and conviction –*more discussion* and thus better debates and solutions in parliament. Anti-defection law is against this.
- In a diverse country like India, members also *represent their constituencies*. Hence, every member needs to be given voice to give voice to all regions and sections of the population.
- No *incentive for MPs/MLAs to research* and understand on policies.

UNIT-13: DEFECTS AND REFORMS OF THE ELECTORAL PROCESS

STRUCTURE

- 13.0 Objectives
- 13.1 Introduction
- 13.2 Meaning and requirements
- 13.3 Electoral reforms in India
- 13.4 Defects of Indian electoral process
- 13.5 Electoral system in India: flaws and reforms
- 13.6 Reforms made in the Indian electoral system
- 13.7 Tarkunda Goswami and Indrajit Gupta reports
- 13.8 Let us sum up
- 13.9 Keywords
- 13.10 Questions For Review
- 13.11 Suggested Readings And References
- 13.12 Answers To Check Your Progress

13.0 OBJECTIVES

After studying this unit, you should be able to:

- Learn about the Electoral reforms in India
- Learn about the defects of Indian electoral process
- Learn about the flaws and reforms of electoral system

13.1 INTRODUCTION

India is the largest democracy in the world. Elections are the most integral and important part of politics in a democratic system of governance. True democracy can function only when elections to the offices of power are held in a free and fair manner.

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It is generally accepted that while the first three general elections were held in a free and fair manner, a plummeting of standards started during the fourth general elections in 1967. Many consider the electoral system in the country as the basis of political corruption. In the next sections, we will talk about the challenges in this regard, and some of the previous attempts at electoral reform.

There are multiple issues plaguing the electoral process in India. Some of the most prominent ones are mentioned below.

Money Power

In every constituency, candidates have to spend crores of rupees for campaigning, publicity, etc. Most candidates far exceed the permissible limit of expenses.

Muscle Power

In certain parts of the country, there are widespread reports of illegal and untoward incidents during polling such as the use of violence, intimidation, booth capturing, etc.

Criminalisation of Politics and Politicization of Criminals

Criminals enter into politics and ensure that money and muscle power wins them elections, so that the cases against them are not proceeded with. Political parties are also happy as long as they have winnable candidates. Political parties field criminals in elections for funds and in return provide them with political patronage and protection.

Misuse of Government Machinery

There is a general opinion that the party in power uses government machinery such as using government vehicles for canvassing, advertisements at the cost of the exchequer, disbursements out of the discretionary funds at the disposal of the ministers, and other such means to improve the chances of their candidates winning.

Non-serious Independent candidates

Serious candidates float non-serious candidates in elections to cut a good portion of the votes that would otherwise have gone to rival candidates.

Casteism

There are cases of certain caste groups lending strong support to particular political parties. Thus, political parties make offers to win over different caste groups, and caste groups also try to pressurize parties to offer tickets for their members' elections. Voting on caste lines is prevalent in the country and this is a serious blotch on democracy and equality. This also creates rifts in the country.

Communalism

Communal polarization poses a serious threat to the Indian political ethos of pluralism, parliamentarianism, secularism and federalism.

Lack of Moral Values in Politics

The political corruption in India has led to politics becoming a business. People enter the political arena for making money and retaining their money and power. There are very few leaders who enter politics to make a difference in the lives of their people. The Gandhian values of service and sacrifice are missing from the Indian political scene.

13.2 MEANING AND REQUIREMENTS

Electoral reforms refer to the development and benign change in election processes in India in order to facilitate better democracy, clean politics, ideal members of legislative houses, equality of representation and so on. Articles 324-329 deal with elections and electoral reforms. Electoral reforms are required to uphold the aspiration of our ancestors, to accomplish the ideals of our constitution and to have a true democracy in letter as well as in spirit by conducting fair elections.

The process of electoral reforms focus mainly on broadening the core meaning of democracy, making it more citizen friendly, implementation of adult suffrage in letter as well as spirit.

Following are the Constitutional articles related to electoral reforms:

1. Article 324-329 deals with elections and electoral reforms.

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2. Article 324 deals with the Superintendence, direction and control of elections to be vested in an Election Commission.
3. Article 325 states that no person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.
4. Article 326 deals with the Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.
5. Article 327 provides power to the Parliament to make provision with respect to elections to Legislatures.
6. Article 328 provides power to Legislature of a State to make provision with respect to elections to such Legislature.
7. Article 329 provides to create a bar on court to make any interference by courts relating to electoral matters.

Aspects of Electoral Reforms:

The Electoral reforms contain the following aspects:

1. Transparency about the background of the candidates
2. Freeing the election processes from muscle and money power
3. Prohibiting the nexus between business and politics
4. Availing all the citizens, eligible to vote a comfortable, friendly and assured facilitation of vote casting
5. Upholding the secrecy of voters
6. Fair registration and recognition of the political parties and without any kind of influence
7. Solution of delisting of illiterate voters
8. Non-partisan role of media
9. Applying the model code of conduct efficiently
10. Streamlining the preparation of electoral rolls

11. Expediting the election processes

12. Rationalising electoral processes

Requirement of Electoral Reforms:

The need for electoral reforms has also been felt mainly due to shun the malicious people and malevolent activities they are involved into. Their requirement can further be elaborated as follows

1. Election process should reflect the situation of the day and should not be imposed on contemporary society
2. To prohibit the criminalisation of politics
3. To stop the misuse of government machineries.
4. To discourage money and muscle power to contribute in election processes
5. To dismay non-serious candidates to contest in election
6. Election processes should be neutral, free from any biasness for any political parties
7. To enhance the trust in the eyes of citizens towards electoral processes
8. To employ the use of technology to further the election processes and be in synch with modern days methods.
9. Some candidates fight election from two seats so it is the need of the hour that make it compulsory for the candidates to pay the expenses occurred on the election of their second constituency.

In the conclusion it can be said that the Election Commission of India need to be stricter regarding the implementation of the election reforms. It is observed that Election Commission is working on a “**Chaltahai Attitude**” which is not good for the development of the healthy democracy in the country.

13.3 ELECTORAL REFORMS IN INDIA

Electoral reform is change in electoral systems to improve how public desires are expressed in election results. That can include reforms of:

- Voting systems, such as proportional representation, a two-round system (runoff voting), instant-runoff voting, Instant Round Robin Voting called Condorcet Voting, range voting, approval voting, citizen initiatives and referendums and recall elections.
- Vote-counting procedures
- Rules about political parties, typically changes to election laws
- Eligibility to vote
- How candidates and political parties are able to stand (nomination rules) and how they are able to get their names onto ballots (ballot access)
- Electoral constituencies and election district borders
- Ballot design and voting equipment
- Scrutineering (election monitoring by candidates, political parties, etc.)
- Safety of voters and election workers
- Measures against bribery, coercion, and conflicts of interest
- Financing of candidates' and referendum campaigns
- Factors which affect the rate of voter participation (voter turnout)

In less democratic countries, elections are often demanded by dissidents; therefore the most basic electoral-reform project in such countries is to achieve a transfer of power to a democratically elected government with a minimum of bloodshed, e.g. in South Africa in 1994. This case highlights the complexity of such reform: such projects tend to require changes to national or other constitutions, and to alter balances of power. Electoral reforms are often politically painful.

ROLE OF UNITED NATIONS

The United Nations Fair Elections Commission provides international observers to national elections that are likely to face challenges by the international community of nations, e.g., in 2001 in Yugoslavia, in 2002 in Zimbabwe.

The United Nations standards address safety of citizens, coercion, scrutiny, and eligibility to vote. They do not impose ballot styles, party diversity, or borders on electoral constituencies. Various global political movements, e.g., labour movements, the Green party, Islamism, Zionism, advocate various cultural, social, ecological means of setting borders that they consider "objective" or "blessed" in some other way. Contention over Electoral constituency borders within or between nations and definitions of "refugee", "citizen", and "right of return" mark various global conflicts, including those in Israel/Palestine, the Congo, and Rwanda.

ELECTORAL BORDERS

Redrawing of electoral constituency (or "riding" or "district") borders should be conducted at regular intervals, or by statutory rules and definitions, if for no other reason than to eliminate mal apportionment attributable to population movements. Some electoral reforms seek to fix these borders according to some cultural or ecological criterion, e.g., bioregional democracy – which sets borders to fit exactly to Eco regions – to avoid the obvious abuse of "gerrymandering" in which constituency borders are set deliberately to favour one party over another, or to improve authority of the public's commonly owned property.

Electoral borders and their manipulation have been a major issue in the United States in particular. However the ability to respect 'natural' borders (meaning municipal or community or infrastructure or natural areas) has been cited often in criticisms of particular reforms, e.g. the Alternative Vote Plus system suggested for the UK by Jenkins Commission.

13.4 DEFEVTS OF INDIAN ELECTORAL PROCESS

Since the adoption of the Indian Constitution in 1950, 14 general elections and many elections of various State Legislative Assemblies have been held. Although these elections were generally free and fair, yet some weaknesses of our election system have been noticed. Some of these weaknesses (challenges) are as under:

(a) Expensive elections: In India, elections are very expensive and a common man, however, intelligent and honest he may be, cannot fight elections. As a result only the rich people can fight elections and they make use of political power first to serve their own interests. They also try to make more money through illegal methods.

(b) Misuse of official machinery:

Though some steps have been taken by the Election Commission and the election laws to check the misuse of official machinery during the elections, yet the ruling party makes use of government servants, vehicles and discretionary grants to win the voters in their favour.

(c) Use of caste and religion in election: In India, a large number of votes are cast on the basis of caste and religion. As a result people get divided on the basis of caste, religion and community which is very harmful for national unity.

(d) Rigging of election and booth capturing:

With the connivance of the government officials, the ruling party tries to rig the elections. Some candidates also capture the polling booths and make use of their muscle powers to do it. It is alleged that in J&K Assembly elections held in 1987, many candidates of the opposition front were declared losers even though they had got maximum number of votes.

(e) **Misuse of mass media:** During elections the ruling party uses various means of mass media-Radios, Television and Newspapers etc.-to propagate their policies and programmes.

(f) **Low polling percentage:**

In India, many voters do not cast their votes. The voting percentage generally is almost 50 to 60 percent. Therefore, the representative bodies are not truly representative.

(g) **Delay in the disposal of election petitions:** In India, it takes a long time in the disposal of election petitions and sometimes the very purpose of election petition gets defeated.

Remedies:

(a) To minimise the role of money in election, provisions should be made for state funding of elections.

(b) Misuse of official machinery should be checked strictly.

(c) Candidates making use of caste or religions during elections should be debarred from contesting elections.

(d) Rigging of elections by the use of muscle power and booth capturing should be strongly checked.

(e) Every party or candidate should be given a chance to make use of mass media.

(f) Voting should be made compulsory.

(g) Election petitions should be disposed off without any delay.

The above issues should be a matter of concern to all those who believe in democracy. Many citizens, political leaders and organisations are trying to curb such tendencies by launching agitations against these malpractices. Besides voters need to become more aware of the value of their right to vote.

Check your Progress-1

Notes

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss the meaning of electoral process.

2. Discuss the electoral reforms in India.

3. Discuss the defects of the electoral process.

13.5 ELECTORAL SYSTEM IN INDIA : FLAWS AND REFORMS

Majority of the nations and their governments strive for the Development and welfare of its people. In a democratic setup such as ours It is our politicians- the representatives- the law makers, and the people who lay foundation for the development. And it is the Election Commission which is vested under Article 324 of Indian Constitution with the duty of conducting free and fair elections in the country. By this we could understand the importance of electoral system in our society, in our development!

Mere conducting of elections periodically doesn't prove that we are republic and have an effective democracy. It is the way elections are held, the quality of people elected, their performances that make our democracy effective. In current scenario, the widespread disillusion in our political system is well visible. The poverty, unemployment, illiteracy levels indicate the inefficiency of our political system. Even after 60 years of our independence, our people suffer from lack of basic amenities in life. If a law is passed as to those with criminal and

corruption charges are to be disqualified then around 93 MPs and 10 ministers in Man Mohan Singh's ministry stand disqualified. This is appalling! We can't put the entire blame for current state of affairs on our political system because it is not functioning in vacuum. The society has share in the blame. The behaviour of our political system is its response to the society and to reform our political system, we need to reform society and its subsystems. This is where electoral reform becomes important.

Although there has been many changes made from time to time on our electoral system, yet there were no significant and substantial reforms brought about. The reports of Dinesh Goswami Committee on Electoral Reforms (1990), Indrajit Gupta Committee on State Funding of Elections (1998), Law Commission's Report on Reform of the Electoral Laws (1999), NCRWC (National Commission to Review the Working of the Constitution) went in vain without implementation. It is high time, The Representation of People Act (RPA), 1951 needs to be rewritten to bring the country under the able hands.

Let us go through some of the flaws found and the proposed reforms by the Election Commission of India and others.

Candidates do not disclose all the cases of conviction and pending charges against them. They provide wrong and incomplete information regarding their assets, liabilities, and income and educational qualifications. People have the right to know whom they are voting for, is he genuine enough to be elected, can he be an effective, impersonal, visionary leader to lead them.

RPA should be amended to include all the items in affidavit and making false declarations in connection with election to be an offence.

The security deposit for candidates contesting for Lok Sabha is Rs.10000 and for State Assemblies, Council of States and Legislative Council is Rs.5000. Many non serious candidates file nomination only with an intention to disrupt the election process. This will bring unnecessary expenditure, stress, difficulty in maintenance of law and order, more ballot machines etc. As per recent amendment a candidate can contest

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from at most 2 constituencies. But in many cases candidate wins both, he selects any one and need arises for bye election leading to unnecessary expenditure.

EC proposes that candidate should contest from only one constituency and if not then such candidates should deposit Rs.500000 to Rs1000000 to bear bye election expenditure. The security deposit has to be increased to discourage non serious candidates.

Criminalization of politics is the most critical flaw which is ruining all beauty of the system. A candidate becomes victorious by the muscle and money power rather than his works, conducts or ideals. They take the help of big business tycoons and criminals to win. In return they bias their power towards these anti- social elements which adversely affect our society. Now the criminals themselves are entering politics. The Law Breakers are the Law Makers! The long delay in our judicial system, increased corruption in public life, the first- past- the- post system in which 25% to 28% of valid votes assure victory in practice, prevalence of illiteracy and poverty are encouraging the criminal elements.

The person who is accused of serious criminal offences and where the court is prima facie satisfied about his involvement should be kept away from electoral arena. Transparency in public life improves transparency in elections. So, contesting candidate must disclose his assets, liabilities, convicted and pending cases against him. Introducing two ballot system and negative vote system would discourage criminal elements from being elected.

Maintenance and auditing of accounts by political parties is not fully transparent. The Election expenditure incurred by political parties, friends and supporters of the candidate will not be counted as election expenditure of the candidate as per sub section 1 of section 77 of RPA. This section in the opinion of the SC has removed even the “fig leaf to hide the reality” of the impact of black money on the outcome of elections. In some instances, the Government functionaries resign and jump into active politics and gain votes based on their service as public servants. A good civil servant may not be guaranteed to be a good

politician. They have just implemented the service rendered by the Government to the people.

Sub section 1 of section 77 of RPA must immediately be removed. Rules must be made to keep the officials out of active politics at least for five years of their retirement. No party must give ticket to a person unless he has served under the party for at least two years. This will check horse trading and prevent politics from becoming a business for the few.

Exit polls and opinion polls will have impact on election results mainly when elections are held in phases. Government sponsored advertisements where expenditure is incurred from public exchequer in favour of ruling party will be unfair. When the elections near, the ruling party announcing remissions to certain class to impress voters at the cost of tax payers money, dissatisfies the other class creating law and order problem. Political advertisements lead to lots of confusion. Here parties blame each other for failures, glorify the perfect world they are going to give us after coming to power.

Suitable restrictions must be imposed on publication of opinion polls. Advertisements of achievements of Government in any manner must be prohibited for six months prior to elections or from date of dissolution of the House. Suitable monitoring mechanism must be provided by the Government by amending Cable Television Network (Regulation) Rules, 1994.

Bureaucratization of politics is also seen in the current arena. The parties can manage to get the officers in their favour to be the electoral officers in their constituencies. Sufficient measures have been taken by the Constitution itself to make the Election Commission an independent body. But still it is dependent on the Union in financial matters.

So six months prior to the elections, no transfer shall be made without the concurrence of the Commission. The expenses of the Election Commission should be charged on the Consolidated Fund of India to secure its independent functioning.

It seem to be easy for any group of persons to be registered as political party leading to mushrooming of non- serious parties (currently around

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650 out of which only 150 or so have contested in elections) creating unnecessary load in election management. Some of the parties which have become defunct still remain as functional political parties in Commission's rolls.

Commission recommends providing provisions to de-register a party and also authorize commission to regulate the registration and de-registration of political parties.

As we all know barrels of black money flow during elections, parochial tendencies playing their role pressuring public, purchasing them, and creating impressions in their mind. Dinesh Goswami Committee had suggested of providing State funding to parties for election expenses partially. But I don't think this will in any way stop black money flow. During elections, we hear lots of common complaints from the public that their name is missing from the voters list. Thousands of officials deputed on election duties also are unable to cast votes. This murders the very purpose of electing the majority voice.

No State funding must be allowed. Commission must take necessary steps to see that not even a valid voter's name is missed. The voter's list must also be periodically amended. Postal balloting must be made a compulsory duty for officials under election duty.

This list is not exhaustive.

One of our able Chief Election Commissioner T. N. Sheshan has rightly said that in spite of making lots of rules; it is not possible to make the Electoral system fool proof. Bringing Electoral reforms is not an easy task. It is the citizens and civil society which have to work vigorously towards this along with the Government. Only those which have been accepted by the society can survive. And perhaps society has accepted corruption, inequality, harassment on the weaker section, dictatorship of the bourgeois because no strong voice has been raised against them from all corners and all classes of society. People must be well educated to understand all the faces of politics and select the best amongst the worst. Reform is needed not only for the Electoral system but for the society as a whole. Let's do what we can. Educate the innocent. Don't encourage

anti- social elements. Don't be a silent spectator to the crimes. Discourage favouring, corruption, parochial tendencies like voting for caste, region, language etc. Recognize the true leaders. Demand transparency. Exercise your right to vote. Vote for values, talents and visions. Freedom we are enjoying is the fruit of the Indian freedom struggle tree to which millions of freedom fighters have poured their blood for it to grow and yield the fruit. Get started before it's too late and out of our hands.....

13.6 REFORMS MADE IN THE INDIAN ELECTORAL SYSTEM

A major defect of the present electoral system is that there is remarkably little relationship between the votes secured by a party and its strength in the Assembly or the Parliament. The numbers of seats won by particular parties are not proportionate to the voters polled in their favour. The high cost of electioneering may lead to corrupt practices and the government. The funds are raised from various sources: donations, purses and fund-drives have been the main sources of income of all political parties in India. It has been suggested by some that the system of proportional representation should be introduced to secure representation to the various divisions in the electorate. The opponents of this system argue that it leads to multiplicity of parties and accentuates splits. Some people are of the opinion that the Election Commission should not be a one-man body.

The committee appointed by Shri Jayaprakash Narayan, on behalf of 'Citizens for Democracy' under V.M. Tarakunde, M.R Samani, P.G. Mavalankar, A.G. Noorani, R.D. Desai and EPW Decosta opined that the Election Commission is becoming less and less independent of the Executive and it suggested reforms on the following points;

- (1) The use of money power in Indian elections.
- (2) The misuse of official authority and machinery.
- (3) Other forms of corrupt practices.

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(4) The disparity between the popular vote secured and the number of seats obtained under the present system of election

(5) Defects in the disposal of election petitions.

Objections have also been raised on the procedure of preparation of electoral rolls. Different political parties have neglected the registration of all eligible voters. Most of the time the electorates come to know of their exclusion from the rolls after reaching the polling booth.

On the other hand, the electoral lists are full of bogus entries. An additional recommendation has been that every voter should be issued an identity slip bearing his photo. The issue of identity cards with the photos of voters may eliminate bogus voting to some extent.

The use of electronic voting machines may speed up the voting process and early announcement of the results can be made. This should be taken up by the Government and the slip issued by the parties should be cancelled.

Similarly, the election material can also be printed by the Government for the recognised political parties, and mail them free to the voter through the postal department.

Reforms have also been suggested in the poll petition rules. The existing law prescribes that the petitioner should prove that either the candidate or his agent has approved the electoral manipulation. In reality it is difficult to prove whether the candidate himself has indulged in a corrupt practice, such as using official machinery for election and raising the communal hatred during elections.

It is, therefore, necessary to keep the actions of his close associates also in view to determine the corrupt practice. Similarly, one has to wait considerably both before and after filling the poll petitions. The arrangement should be made for an immediate complaint to be lodged before the Magistrate and cases decided within six months.

13.7 TARKUNDE GOSWAMI AND INDRAJIT GUPTA REPORTS

In order to restore the confidence of the public in the democratic electoral system, many electoral reforms have been recommended from time to time. Tarkunde Committee and Goswami Committee were particularly appointed to study and report on the scheme for Electoral Reforms in the year 1974 and 1990 respectively. The Election Commission's recommendations in 1998 and the Indrajit Gupta Committee Report of 1998 also produced a comprehensive set of proposals regarding electoral reforms. Out of these recommendations some have been implemented. However, in view of the increasing role of money and muscle power, criminalization of politics and misuse of Government machinery more stringent changes and reforms are necessary to neutralize these disturbing distortions in the electoral system accompanied by honest and strict enforcement of the rules in a time bound manner. Following reforms are proposed to address these problems some of which have been proposed by others in the past.

- A candidate must have filed his income tax return for the previous two years from the constituency which he/she wants to represent.
- No change of party or change of status to independent be permitted till the announcement of the next elections.
- All personnel involved in the conduct of election by virtue of being on election duty including police and security personnel and their voting age family members must be able to cast their vote just as easily as a citizen not on election duty.
- The total expenditure permissible by a candidate should be related to the minimum daily wages prevalent at that time in that state/area. The maximum total expenditure should be set as a percentage, say, 5%, per registered voter of the constituency.
- All candidates must be required to submit audited accounts with receipts of poll expenditure and the EC must have adequate auditing manpower to have them checked within 30 days. Over expenditure by 5% or more or discrepancies in the accounts amounting to over 5% be grounds for disqualification.

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- The security deposit should be equal to 10% of the expenditure limit set by the EC and be counted in the total poll expenditure of the candidate.
- Do not allow candidates to contest from more than one constituency in an election: This is necessary to curtail the unnecessary expenditure that election commission has to make for holding bye-election when a candidate contests election from more than one constituency and wins from all or more than one of the constituencies he has contested from.
- A political party must be allowed to be formed only by a person who has at least been once elected to a house through direct elections and not by nomination. Other guidelines must also apply.
- Each candidate must be able to correctly speak, write and read in the official language of the state (from where he/she is contesting the election) or in Hindi.
- The upper age limit to contest an election should be set as the retirement age for the central govt. employees plus two years.
- The candidate must be found medically and mentally fit, to discharge the normal duties of a legislator, by a team of doctors appointed by the EC, to be allowed to contest.
- All candidates and their close relatives must declare their total assets before and after, if elected (each year), to the public.
- The size of the Council of Ministers must be limited to 10% of the legislators in larger houses (over 120) members and to 15% in smaller ones (less than 100). A minimum of 12 ministers be permitted for even the smallest house.
- The donation by an individual or company to a candidate must not exceed 5% of the total expenditure permissible. The total donation made by an individual or company to all candidates in an election must not exceed 50% of the total permissible

expenditure by one candidate. All donations given and received must be in public knowledge.

- Make false declarations in election affidavits by a candidate a criminal offense.
- Ban publication of exit/opinion polls results till voting is over for all phases at all the places where elections are to take place as per the EC's notification.
- Abolish the first-past-the-post system. The winning candidate must be required to secure 50%+1 vote. This may require a second round of election to be held if none of the candidates in the fray is able to get 50%+1 of the total number of votes polled in the first round. All major national political parties need to agree to this change.
- Use common electoral rolls in the union and state elections.
- The electronic voting machines must be made temper proof and hacking proof and must be proven to be so to the satisfaction of the experts and the political parties. As a safeguard, paper back-up may be provided for cross verification.

Check your Progress-2

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

4. Discuss the flaws and reforms of electoral system.

5. Discuss the reforms made in the electoral system.

13.8 LET US SUM UP

Electoral reforms refer to the development and benign change in election processes in India in order to facilitate better democracy, clean politics, ideal members of legislative houses, equality of representation and so on. Articles 324-329 deal with elections and electoral reforms. Electoral reforms are required to uphold the aspiration of our ancestors, to accomplish the ideals of our constitution and to have a true democracy in letter as well as in spirit by conducting fair elections. **Electoral Reform** is change in electoral systems to improve how public desires are expressed in election results. That can include reforms of:

- Voting systems, such as proportional representation, a two-round system (runoff voting), instant-runoff voting, Instant Round Robin Voting called Condorcet Voting, range voting, approval voting, citizen initiatives and referendums and recall elections.
- Vote-counting procedures

Since the adoption of the Indian Constitution in 1950, 14 general elections and many elections of various State Legislative Assemblies have been held. Although these elections were generally free and fair, yet some weaknesses of our election system have been noticed. Majority of the nations and their governments strive for the Development and welfare of its people. In a democratic setup such as ours. It is our politicians- the representatives- the law makers, and the people who lay foundation for the development. And it is the Election Commission which is vested under Article 324 of Indian Constitution with the duty of conducting free and fair elections in the country. A major defect of the present electoral system is that there is remarkably little relationship between the votes secured by a party and its strength in the Assembly or the Parliament. The numbers of seats won by particular parties are not proportionate to the voters polled in their favour. The high cost of electioneering may lead to corrupt practices and the government.

13.9 KEYWORDS

- Electoral reforms: **Electoral Reform** is change in electoral systems to improve how public desires are expressed in election results.
- Electoral defects: Since the adoption of the Indian Constitution in 1950, 14 general elections and many elections of various State Legislative Assemblies have been held.
- Electoral system in India: flaws and reforms: Majority of the nations and their governments strive for the Development and welfare of its people.

13.10 QUESTIONS FOR REVIEW

1. Discuss the meaning of electoral process.
2. Discuss the electoral reforms in India.
3. Discuss the defects of the electoral process.
4. Discuss the flaws and reforms of electoral system.
5. Discuss the reforms made in the electoral system.

13.11 SUGGESTED READINGS AND REFERENCES

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13.12 ANSWERS TO CHECK YOUR PROGRESS

1. Electoral reforms refer to the development and benign change in election processes in India in order to facilitate better democracy, clean politics, ideal members of legislative houses, equality of representation and so on. Articles 324-329 deal with elections and electoral reforms. Electoral reforms are required to uphold the aspiration of our ancestors, to accomplish the ideals of our constitution and to have a true democracy in letter as well as in spirit by conducting fair elections.

The process of electoral reforms focus mainly on broadening the core meaning of democracy, making it more citizen friendly, implementation of adult suffrage in letter as well as spirit.

2. **Electoral Reform** is change in electoral systems to improve how public desires are expressed in election results. That can include reforms of:

- Voting systems, such as proportional representation, a two-round system (runoff voting), instant-runoff voting, Instant Round Robin Voting called Condorcet Voting, range voting, approval voting, citizen initiatives and referendums and recall elections.
- Vote-counting procedures
- Rules about political parties, typically changes to election laws
- Eligibility to vote
- How candidates and political parties are able to stand (nomination rules) and how they are able to get their names onto ballots (ballot access)

- Electoral constituencies and election district borders
- Ballot design and voting equipment
- Scrutineering (election monitoring by candidates, political parties, etc.)
- Safety of voters and election workers
- Measures against bribery, coercion, and conflicts of interest
- Financing of candidates' and referendum campaigns

Factors which affect the rate of voter participation.

3. Use of caste and religion in election: In India, a large number of votes are cast on the basis of caste and religion. As a result people get divided on the basis of caste, religion and community which is very harmful for national unity.

(d) Rigging of election and booth capturing:

With the connivance of the government officials, the ruling party tries to rig the elections. Some candidates also capture the polling booths and make use of their muscle powers to do it. It is alleged that in J&K Assembly elections held in 1987, many candidates of the opposition front were declared losers even though they had got maximum number of votes.

(e) Misuse of mass media: During elections the ruling party uses various means of mass media-Radios, Television and Newspapers etc.-to propagate their policies and programmes.

4. Majority of the nations and their governments strive for the Development and welfare of its people. In a democratic setup such as ours It is our politicians- the representatives- the law makers, and the people who lay foundation for the development. And it is the Election Commission which is vested under Article 324 of Indian Constitution with the duty of conducting free and fair elections in the country. By this we could understand the importance of electoral system in our society, in our development!

Notes

Mere conducting of elections periodically doesn't prove that we are republic and have an effective democracy. It is the way elections are held, the quality of people elected, their performances that make our democracy effective. In current scenario, the widespread disillusion in our political system is well visible. The poverty, unemployment, illiteracy levels indicate the inefficiency of our political system. Even after 60 years of our independence, our people suffer from lack of basic amenities in life. If a law is passed as to those with criminal and corruption charges are to be disqualified then around 93 MPs and 10 ministers in Man Mohan Singh's ministry stand disqualified. This is appalling! We can't put the entire blame for current state of affairs on our political system because it is not functioning in vacuum. The society has share in the blame. The behaviour of our political system is its response to the society and to reform our political system, we need to reform society and its subsystems. This is where electoral reform becomes important.

5.A major defect of the present electoral system is that there is remarkably little relationship between the votes secured by a party and its strength in the Assembly or the Parliament. The numbers of seats won by particular parties are not proportionate to the voters polled in their favour. The high cost of electioneering may lead to corrupt practices and the government. The funds are raised from various sources: donations, purses and fund-drives have been the main sources of income of all political parties in India. It has been suggested by some that the system of proportional representation should be introduced to secure representation to the various divisions in the electorate. The opponents of this system argue that it leads to multiplicity of parties and accentuates splits. Some people are of the opinion that the Election Commission should not be a one-man body.

UNIT-14: CODE OF CONDUCT FOR FREE AND FAIR ELECTION

STRUCTURE

- 14.0 Objectives
- 14.1 Introduction
- 14.2 highlights
- 14.3 Code of conduct for the guidance of election
- 14.4 Code of conduct and the 2019 general elections
- 14.5 Determinants of voting behaviour
- 14.6 Let us sum up
- 14.7 Keywords
- 14.8 Questions For Review
- 14.9 Suggested Readings And References
- 14.10 Answers To Check Your Progress

14.0 OBJECTIVES

After studying this unit, you should be able to:

- Learn about the main points of code of conduct
- Learn about code of conduct for the guidance of election
- Determinants of voting behaviour

14.1 INTRODUCTION

A **code of conduct** is a set of rules outlining the norms, rules, and responsibilities of, and or proper practices for, an individual.

A company code of conduct is a code of conduct commonly written for employees of a company, which protects the business and informs the employees of the company's expectations. It is appropriate for even the smallest of companies to create a document containing important information on expectations for employees. The document does not need

to be complex, or have elaborate policies. code of conduct can be an important part in establishing an inclusive culture, but it is not a comprehensive solution on its own. An ethical culture is created by the organization's leaders who manifest their ethics in their attitudes and behaviour. Studies of codes of conduct in the private sector show that their effective implementation must be part of a learning process that requires training, consistent enforcement, and continuous measurement/improvement. Simply requiring members to read the code is not enough to ensure that they understand it and will remember its contents. The proof of effectiveness is when employees/members feel comfortable enough to voice concerns and believe that the organization will respond with appropriate action.

14.2 HIGHLIGHTS

Election Commission of India's Model Code of Conduct is a set of guidelines issued by the Election Commission of India for conduct of political parties and candidates during elections mainly with respect to speeches, polling day, polling booths, portfolios, election manifestos, processions and general conduct. These set of norms has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code in its letter and spirit. The Model Code of Conduct comes into force immediately on announcement of the election schedule by the commission for the need of ensuring free and fair elections. Its main purpose is to ensure that ruling parties, at the Centre and in the States, do not misuse their position of advantage to gain an unfair edge. It is designed to avert practices which are deemed corrupt under model code of conduct. For example, politicians should not make hate speeches, putting one community against another or make promises about new projects that may sway a voter.

For the 2019 Indian general election the code came into force on 10 March 2019 when the Commission announced the dates and remains in force till the end of the electoral process.

The main points of the code of conduct are:

1. The government may not lay any new ground for projects or public initiatives once the Model Code of Conduct comes into force.
2. Government bodies are not to participate in any recruitment process during the electoral process.
3. The contesting candidates and their campaigners must respect the home life of their rivals and should not disturb them by holding road shows or demonstrations in front of their houses. The code tells the candidates to keep it.
4. The election campaign rallies and road shows must not hinder the road traffic.
5. Candidates are asked to refrain from distributing liquor to voters. It is a widely known fact in India that during election campaigning, liquor may be distributed to the voters.
6. The election code in force hinders the government or ruling party leaders from launching new welfare programs like construction of roads, provision of drinking water facilities etc. or any ribbon-cutting ceremonies.
7. The code instructs that public spaces like meeting grounds, helipads, government guest houses and bungalows should be equally shared among the contesting candidates. These public spaces should not be monopolized by a few candidates.
8. On polling day, all party candidates should cooperate with the poll-duty officials at the voting booths for an orderly voting process. Candidates should not display their election symbols near and around the poll booths on the polling day. No one should enter the booths without a valid pass from the Election Commission.

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9. There will be poll observers to whom any complaints can be reported or submitted.
10. The ruling party should not use its seat of power for the campaign purposes.
11. The ruling party ministers should not make any ad-hoc appointment of officials, which may influence the voters to vote in favour of the party in power.
12. Before using loud speakers during their poll campaigning, candidates and political parties must obtain permission or license from the local authorities. The candidates should inform the local police for conducting election rallies to enable the police authorities to make required security arrangements.

14.3 CODE OF CONDUCT FOR THE GUIDANCE OF ELECTION

I. General Conduct

No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.

There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

All parties and candidates shall avoid scrupulously all activities which are “corrupt practices” and offences under the election law, such as

bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 meters of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, and the transport and conveyance of voters to and from polling station.

The right of every individual for peaceful and undisturbed home-life shall be respected, however much the political parties or candidates may resent his political opinions or activities. Organizing demonstrations or picketing before the houses of individuals by way of protesting against their opinions or activities shall not be resorted to under any circumstances.

No political party or candidate shall permit its or his followers to make use of any individual's land, building, compound wall etc., without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans etc.

Political parties and candidates shall ensure that their supporters do not create obstructions in or break up meetings and processions organized by other parties. Workers or sympathisers of one political party shall not create disturbances at public meetings organized by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions shall not be taken out by one party along places at which meetings are held by another party. Posters issued by one party shall not be removed by workers of another party.

II. Meetings

1. The party or candidate shall inform the local police authorities of the venue and time any proposed meeting Well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.
2. A Party or candidate shall ascertain in advance if there is any restrictive or prohibitory order in force in the place proposed for the meeting if such orders exist, they shall be followed strictly. If any exemption is required from such orders, it shall be applied for and obtained well in time.

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3. If permission or license is to be obtained for the use of loudspeakers or any other facility in connection with any proposed meeting, the party or candidate shall apply to the authority concerned well in advance and obtain such permission or license.
4. Organizers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting or otherwise attempting to create disorder. Organizers themselves shall not take action against such persons.

III. Procession

5. A Party or candidate organizing a procession shall decide beforehand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.
6. The organizers shall give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary arrangements.
7. The organizers shall ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and shall comply with the restrictions unless exempted specially by the competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.
8. The organizers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.
9. Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.
10. If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same

time, the organizers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose the parties shall contact the police at the earliest opportunity.

11. The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements especially in moments of excitement.
12. The carrying of effigies purporting to represent member of other political parties or their leaders, burning such effigies in public and such other forms demonstration shall not be countenanced by any political party or candidate.

IV. Polling Day

All Political parties and candidates shall –

13. co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.
14. supply to their authorized workers suitable badges or identity cards.
15. agree that the identity slip supplied by them to voters shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party;
16. refrain from serving or distributing liquor on polling day and during the forty eight hours preceding it.
17. not allow unnecessary crowd to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid Confrontation and tension among workers and sympathizers of the parties and the candidate.

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18. ensure that the candidate's camps shall be simple .They shall not display any posters, flags, symbols or any other propaganda material. No eatable shall be served or crowd allowed at the camps and
19. co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.

V. Polling Booth

Excepting the voters, no one without a valid pass from the Election Commission shall enter the polling booths.

VI. Observers

The Election Commission is appointing Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observer.

VII. Party in Power

The party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular –

20. (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work.
(b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;
21. Public places such as maidens etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;

22. Rest houses, dark bungalows or other Government accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidate shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting for the purposes of election propaganda;
23. Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided.
24. Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and
25. From the time elections are announced by Commission, Ministers and other authorities shall not –
26. (a) announce any financial grants in any form or promises thereof; or
(b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind; or
(c) make any promise of construction of roads, provision of drinking water facilities etc.; or
(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.
- Note :** The Commission shall announce the date of any election which shall be a date ordinarily not more than three weeks prior to the date on which the notification is likely to be issued in respect of such elections.
27. Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.

VIII. Guidelines on Election Manifestos

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28. The Supreme Court in its judgement dated 5th July 2013 in SLP(C) No. 21455 of 2008 (S. Subramaniam Balaji Vs Govt. of Tamil Nadu and Others) has directed the Election Commission to frame guidelines with regard to the contents of election manifestos in consultation with all the recognized political parties. The guiding principles which will lead to framing of such guidelines are quoted below from the judgment:-

(i) “Although, the law is obvious that the promises in the election manifesto cannot be construed as ‘corrupt practice’ under Section 123 of RP Act, the reality cannot be ruled out that distribution of freebies of any kind, undoubtedly, influences all people. It shakes the root of free and fair elections to a large degree”.

(ii) “The Election Commission, in order to ensure level playing field between the contesting parties and candidates in elections and also in order to see that the purity of the election process does not get vitiated, as in past been issuing instructions under the Model Code of Conduct. The fountainhead of the powers under which the Commission issues these orders is Article 324 of the Constitution which mandates the Commission to hold free and fair elections.”

(iii) “We are mindful of the fact that generally political parties release their election manifesto before the announcement of election date, in that scenario, strictly speaking, the Election Commission will not have the authority to regulate any act which is done before the announcement of the date. Nevertheless, an exception can be made in this regard as the purpose of election manifesto is directly associated with the election process”.

29. Upon receiving the above directions of the Hon’ble Supreme Court, the Election Commission held a meeting with the recognized National and State Political Parties for consultation with them in the matter and took note of their conflicting views in the matter.

During consultations, while some political parties supported the issuance of such guidelines, others were of the view that it is their right and duty towards voters to make such offers and promises in manifestos in a healthy democratic polity. While the Commission agrees in principle with the point of view that framing of manifestos is the right of the political parties, it cannot overlook the undesirable impact of some of the promises and offers on the conduct of free and fair elections and maintaining level playing field for all political parties and candidates.

30. The Constitution under Article 324 mandates the Election

Commission, to conduct elections inter alia to the Parliament and the State Legislatures. Having due regard to the above directions of the Supreme Court and after consultation with the Political Parties, the Commission, in the interest of free and fair elections, hereby directs that Political Parties and Candidates while releasing election manifestos for any election to the Parliament or State Legislatures, shall adhere to the following guidelines :-

(i) The election manifesto shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that it shall be consistent with the letter and spirit of other provisions of Model Code of Conduct.

(ii) The Directive Principles of State Policy enshrined in the Constitution enjoin upon the State to frame various welfare measures for the citizens and therefore there can be no objection to the promise of such welfare measures in election manifestos. However, political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on the voters in exercising their franchise.

(iii) In the interest of transparency, level playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and broadly indicate the ways and means to meet the

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financial requirements for it. Trust of voters should be sought only on those promises which are possible to be fulfilled.

31. Prohibitory period of Release of Manifesto during elections(s)

(i) In case of single phase election, manifesto shall not be released during the prohibitory period, as prescribed under Section 126 of the Representation of the People Act, 1951.

(ii) In case of multi-phase elections, manifesto shall not be released during the prohibitory periods, as prescribed under Section 126 of the Representation of the People Act, 1951, of all the phases of those elections.”

Check your Progress-1

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

1. Discuss the main points of code of conduct.

2. Discuss the three guidelines of election.

14.4 CODE OF CONDUCT AND THE 2019 GENERAL ELECTIONS

The voting will take place in seven phases between April 11, 2019 to May 19, 2019. With this announcement, the Model Code of Conduct (MCC) has come into force. In this blog, we outline the key features of the MCC.

What is the Model Code of Conduct and who does it apply to?

The MCC is a set of guidelines issued by the Election Commission to regulate political parties and candidates prior to elections, to ensure free and fair elections. This is in keeping with Article 324 of the Constitution, which gives the Election Commission the power to supervise elections to the Parliament and state legislatures. The MCC is operational from the date that the election schedule is announced till the date that results are announced. Thus, for the general elections this year, the MCC came into force on March 10, 2019, when the election schedule was announced, and will operate till May 23, 2019, when the final results will be announced.

How has the Model Code of Conduct evolved over time?

According to a Press Information Bureau release, a form of the MCC was first introduced in the state assembly elections in Kerala in 1960. It was a set of instructions to political parties regarding election meetings, speeches, slogans, etc. In the 1962 general elections to the Lok Sabha, the MCC was circulated to recognised parties, and state governments sought feedback from the parties. The MCC was largely followed by all parties in the 1962 elections and continued to be followed in subsequent general elections. In 1979, the Election Commission added a section to regulate the ‘party in power’ and prevent it from gaining an unfair advantage at the time of elections. In 2013, the Supreme Court directed the Election Commission to include guidelines regarding election manifestos, which it had included in the MCC for the 2014 general elections.

What are the key provisions of the Model Code of Conduct?

The MCC contains eight provisions dealing with general conduct, meetings, processions, polling day, polling booths, observers, party in power, and election manifestos. Major provisions of the MCC are outlined below.

- **General Conduct:** Criticism of political parties must be limited to their policies and programmes, past record and work. Activities such as: (a) using caste and communal feelings to secure votes, (b) criticising candidates on the basis of unverified reports, (c) bribing or intimidation of voters, and (d) organising demonstrations or picketing

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outside houses of persons to protest against their opinions, are prohibited.

- Meetings: Parties must inform the local police authorities of the venue and time of any meeting in time to enable the police to make adequate security arrangements.
- Processions: If two or more candidates plan processions along the same route, organisers must establish contact in advance to ensure that the processions do not clash. Carrying and burning effigies representing members of other political parties is not allowed.
- Polling day: All authorised party workers at polling booths should be given identity badges. These should not contain the party name, symbol or name of the candidate.
- Polling booths: Only voters, and those with a valid pass from the Election Commission, will be allowed to enter polling booths.
- Observers: The Election Commission will appoint observers to whom any candidates may report problems regarding the conduct of the election.
- Party in power: The MCC incorporated certain restrictions in 1979, regulating the conduct of the party in power. Ministers must not combine official visits with election work or use official machinery for the same. The party must avoid advertising at the cost of the public exchequer or using official mass media for publicity on achievements to improve chances of victory in the elections. Ministers and other authorities must not announce any financial grants, or promise any construction of roads, provision of drinking water, etc. Other parties must be allowed to use public spaces and rest houses and these must not be monopolised by the party in power.
- Election manifestos: Added in 2013, these guidelines prohibit parties from making promises that exert an undue influence on voters, and suggest that manifestos also indicate the means to achieve promises.

What changes have been recommended in relation to the MCC since the last general elections?

In 2015, the Law Commission in its report on Electoral Reforms, noted that the MCC prohibits the issue of advertisement at the cost of public

exchequer in newspapers/media during the election period. However, it observed that since the MCC comes into operation only from the date on which the Commission announces elections, the government can release advertisements prior to the announcement of elections. It noted that this gives an advantage to the ruling party to issue government sponsored advertisements that highlights its achievements, which gives it an undue advantage over other parties and candidates. Therefore, the Commission recommended that a restriction should be imposed on government-sponsored advertisements for up to six months prior to the date of expiry of the House/Assembly. However, it stated that an exception may be carved out for advertisements highlighting the government's poverty alleviation programmes or any health related schemes.

Is the Model Code of Conduct legally binding?

The MCC is not enforceable by law. However, certain provisions of the MCC may be enforced through invoking corresponding provisions in other statutes such as the Indian Penal Code, 1860, Code of Criminal Procedure, 1973, and Representation of the People Act, 1951. The Election Commission has argued against making the MCC legally binding; stating that elections must be completed within a relatively short time (close to 45 days), and judicial proceedings typically take longer, therefore it is not feasible to make it enforceable by law. On the other hand, in 2013, the Standing Committee on Personnel, Public Grievances, Law and Justice, recommended making the MCC legally binding. In a report on electoral reforms, the Standing Committee observed that most provisions of the MCC are already enforceable through corresponding provisions in other statutes, mentioned above. It recommended that the MCC be made a part of the Representation of the People Act, 1951.

Note that this is an updated version of a previous blog published in 2014.

14.5 DETERMINANTS OF VOTING BEHAVIOUR IN INDIA

Voting behaviour is a form of electoral behaviour. Understanding voters' behaviour can explain how and why decisions were made either

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by public decision-makers, which has been a central concern for political scientists, or by the electorate. To interpret voting behaviour both political science and psychology expertise were necessary and therefore the field of political psychology emerged including electoral psychology. Political psychology researchers study ways in which **affective influence** may help voters make more informed voting choices, with some proposing that affect may explain how the electorate makes informed political choices in spite of low overall levels of political attentiveness and sophistication. Conversely, Bruter and Harrison suggest that electoral psychology encompasses the ways in which personality, memory, emotions, and other psychological factors affect citizens' electoral experience and behaviour.

To make inferences and predictions about behaviour concerning a voting decision, certain factors such as gender, race, culture or religion must be considered. Moreover, key public influences include the role of emotions, political socialization, tolerance of diversity of political views and the media. The effect of these influences on voting behaviour is best understood through theories on the formation of attitudes, beliefs, schema, knowledge structures and the practice of information processing. For example, surveys from different countries indicate that people are generally happier in individualistic cultures where they have rights such as the right to vote. Additionally, social influence and peer effects, as originating from family and friends, also play an important role in elections and voting behaviour. An important question in this context is how to disentangle the social contagion by peers from external influences. The degree to which voting decision is affected by internal processes and external influences alters the quality of making truly democratic decisions.

Voting behaviour types

The existing literature does not provide an explicit classification of voting behavior types. However, research following the Cypriot referendum of 2004, identified four distinct voting behaviours depending on the election type. Citizens use different decision criteria if they are called to exercise their right to vote in presidential, legislative, local

elections or in a referendum. In national elections it is usually the norm that people vote based on their political beliefs. Local and regional elections differ, as people tend to elect those who seem more capable to contribute to their area. A referendum follows another logic as people are specifically asked to vote for or against a clearly defined policy.

An older study in post-war Japan identified that urban citizens were more likely to be supportive of socialist parties, while rural citizens were favourable of conservative parties. Regardless of the political preference, this is an interesting differentiation that can be attributed to affective impact.

Electoral Ergonomics

The concept of electoral ergonomics was created by Michael Bruter and Sarah Harrison and defined as the interface between electoral arrangements and organisation and the psychology of voters.

It is important to consider how electoral arrangements affect the emotions of the voter and therefore their electoral behaviour. In the week running up to elections, 20 to 30% of voters either decide who they will vote for or change their initial decisions, with around half of this amount on election day. One study has found people more likely to vote for Conservative candidates if polling stations are located in a Church. Another study finds voters aged 18-24 are nearly twice as likely to vote for extreme right parties if voting is done through the post.

Affective influence

A growing literature on the significance of affect in politics finds that affective states play a role in public voting behaviour that can be both beneficial and biasing. Affect here refers to the experience of emotion or feeling, which is often described in contrast to cognition. This work largely follows from findings in psychology concerning the ways in which affective states are involved in human judgment and decision-making.

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Research in political science has traditionally ignored non-rational considerations in its theories of mass political behaviour, but the incorporation of social psychology has become increasingly common. In exploring the benefits of affect on voting, researchers have argued that affective states such as anxiety and enthusiasm encourage the evaluation of new political information and thus benefit political behaviour by leading to more considered choices. Others, however, have discovered ways in which affect such as emotion and mood can significantly bias the voting choices of the electorate. For an example, evidence has shown that a variety of events that are irrelevant to the evaluation of candidates but can stir emotions, such as the outcome of football matches and weather, can significantly affect voting decisions.

Several variables have been proposed that may moderate the relationship between emotion and voting. Researchers have shown that one such variable may be political sophistication, with higher sophistication voters more likely to experience emotions in response to political stimuli and thus more prone to emotional biases in voting choice. Affective power has also been shown to moderate the relationship between affect and voting, with one study finding a doubling of estimated effect for higher-intensity affective shocks.

Mechanisms of affective influence on voting

The differential effect of several specific emotions have been studied on voting behaviour:

Surprise – Recent research suggests that the emotion of surprise may magnify the effect of emotions on voting. In assessing the effect of home-team sports victories on voting, Healy et al. showed that surprising victories provided close to twice the interest to the incumbent party compared to victories overall.

Anger – Affective theory would predict that anger increases the use of generalized knowledge and reliance upon stereotypes and other heuristics. An analysis on students at the University of Massachusetts Amherst showed that people who had been primed with an anger condition relied less upon issue-concordance when choosing

between candidates than those who had been primed with fear. In a separate laboratory study, subjects primed with the anger emotion were significantly less likely to seek information about a candidate and spent less time reviewing a candidate's policy positions on the web.

Anxiety – Affective intelligence theory identifies anxiety as an emotion that increases political attentiveness while decreasing reliance on party identification when deciding between candidates, thus improving decision-making capabilities. Voters who report anxiety regarding an election are more likely to vote for candidates whose policies they prefer, and party members who report feeling anxious regarding a candidate are twice as likely to defect and vote for the opposition candidate. Others have denied that anxiety's indirect influence on voting behaviour has been proven to the exclusion of alternative explanations, such as the possibility that less preferred candidates produce feelings of anxiety, as opposed to the reverse.

Fear – Studies in psychology has shown that people experiencing fear rely on more detailed processing when making choices. One study showed that subjects primed with fear spent more time seeking information on the web before a hypothetical voting exercise than those primed with anger.

Pride – Results from the American National Elections Survey found that pride, along with hope and fear, explained a significant amount of the variance in peoples' 2008 voting choices. The size of the effect of expressions of pride on voting for McCain was roughly one third of the size of the effect of party identification, typically the strongest predictor. Appeals to pride were also found to be effective in motivating voter turnout among high-propensity voters, though the effect was not as strong as appeals to shame.

Effects of voting on emotion

The act of voting itself can produce emotional responses that may bias the choices voters make and potentially affect subsequent emotional states.

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A recent study on voters in Israel found that voters' cortisol levels, the so-called "stress hormone," were significantly higher immediately before entering a polling place than personal baseline levels measured on a similar, non-election day. This may be significant for voting choices since cortisol is known to affect memory consolidation, memory retrieval, and reward- and risk-seeking behaviour. Acute stress may disrupt decision making and affect cognition.

In addition, research done on voters in Ann Arbor and Durham after the US 2008 elections showed partial evidence that voting for the losing candidate may lead to increased cortisol levels relative to levels among voters who chose the winning candidate.

Practical implications

Political campaigns

The use of emotional appeals in political campaigns to increase support for a candidate or decrease support for a challenger is a widely recognized practice and a common element of any campaign strategy. Campaigns often seek to instill positive emotions such as enthusiasm and hopefulness about their candidate among party bases to improve turnout and political activism while seeking to raise fear and anxiety about the challenger. Enthusiasm tends to reinforce preferences, whereas fear and anxiety tends to interrupt behavioural patterns and leads individuals to look for new sources of details.

Political surveys

Research findings illustrate that it is possible to influence a persons' attitudes toward a political candidate using carefully crafted survey questions, which in turn may influence his or her voting behaviour. A laboratory study in the UK focused on participants' attitude toward former Prime Minister Tony Blair during the 2001 pre-election period via a telephone survey. After gauging participants' interest in politics, the survey asked the participants to list either i) two positive characteristics of the Prime Minister, ii) five positive characteristics of the Prime Minister, iii) two negative characteristics of the Prime Minister, or iv) five negative characteristics of the Prime Minister. Participants were then

asked to rate their attitude toward Blair on a scale from 1 to 7 where higher values reflected higher favourability.

Listing five positive or negative characteristics for the Prime Minister was challenging; especially for those with little or no interest in politics. The ones asked to list five positive characteristics were primed negatively towards the politicians because it was too hard to name five good traits. On the contrary, following the same logic, those who were to list five negative, came to like the politician better than before. This conclusion was reflected in the final survey stage when participants evaluated their attitude toward the Prime Minister.

Military voting behaviour

Recent research into whether military personnel vote or behave politically than the general population has challenged some long-held conventional wisdom. The political behaviour of officers has been extensively studied by Holsti, Van Riper & Unwalla, and Feaver & Kohn In the United States, particularly since the end of the Vietnam War, officers are strongly conservative in nature and tend to identify with the Republican Party in the United States.

Enlisted personnel political behaviour has only been studied more recently, notably by Dempsey, and In body. Enlisted personnel, often thought to behave and vote as did officers, do not. They more nearly represent the general population. In general, the usual demographic predictors of voting and other political behaviour apply to military personnel.

Loss aversion

The **loss aversion** theory by Amos Tversky and Daniel Kahneman is often associated with voting behaviour as people are more likely to use their vote to avoid the effect of an un favorable policy rather than supporting a favourable policy. From a psychological perspective, value references are crucial to determine individual choices.

Check your Progress-2

Note :i) Use the space given below for your answer

ii) Check your answer with that given at the end of the unit

3. Discuss the key provisions of the Model Code of Conduct.

4. Discuss the Military voting behaviour .

14.6 LET US SUM UP

Election Commission of India's Model Code of Conduct is a set of guidelines issued by the Election Commission of India for conduct of political parties and candidates during elections mainly with respect to speeches, polling day, polling booths, portfolios, election manifestos, processions and general conduct. These set of norms has been evolved with the consensus of political parties who have consented to abide by the principles embodied in the said code in its letter and spirit. No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic. The voting will take place in seven phases between April 11, 2019 to May 19, 2019. With this announcement, the Model Code of Conduct (MCC) has come into force. In this blog, we outline the key features of the MCC. **Voting behaviour** is a form of electoral behaviour. Understanding voters' behaviour can explain how and why decisions were made either by public decision-makers, which has been a central concern for political scientists, or by the electorate. To interpret voting behaviour both political science and psychology expertise were necessary and

therefore the field of political psychology emerged including electoral psychology. Political psychology researchers study ways in which **affective influence** may help voters make more informed voting choices, with some proposing that affect may explain how the electorate makes informed political choices in spite of low overall levels of political attentiveness and sophistication. Conversely, Bruter and Harrison suggest that electoral psychology encompasses the ways in which personality, memory, emotions, and other psychological factors affect citizens' electoral experience and behaviour.

14.7 KEYWORDS

- Highlights of code of conduct: **Election Commission of India's Model Code of Conduct** is a set of guidelines issued by the Election Commission of India for conduct of political parties and candidates during elections mainly with respect to speeches, polling day, polling booths, portfolios, election manifestos, processions and general conduct.
- Guidelines of election: Excepting the voters, no one without a valid pass from the Election Commission shall enter the polling booths.
- Determinants of voting behaviours: **Voting behaviour** is a form of electoral behaviour.

14.8 QUESTIONS FOR REVIEW

1. Discuss the main points of code of conduct.
2. Discuss the three guidelines of election.
3. Discuss the key provisions of the Model Code of Conduct.
4. Discuss the Military voting behaviour.

14.9 SUGGESTED READINGS AND REFERENCES

1. Goldman, Sheldon (June 1966). "Voting behaviour on the United States Courts of Appeals, 1961–1964". The American Political Science Review. 60 (2): 374–383. doi:10.2307/1953364. JSTOR 1953364.
2. http://eci.nic.in/eci_main/MCC-ENGLISH_28022014.pdf
3. "Announcement of Schedule for General Elections to Lok Sabha and Legislative Assemblies in Andhra Pradesh, Arunachal Pradesh, Odisha & Sikkim, 2019". Election Commission of India. Retrieved 28 March 2019.
4. "Model Code of Conduct - ECI". Election Commission of India - MCC. Retrieved 28 March 2019.

14.10 ANSWERS TO CHECK YOUR PROGRESS

1. 1. The government may not lay any new ground for projects or public initiatives once the Model Code of Conduct comes into force.
2. Government bodies are not to participate in any recruitment process during the electoral process.
3. The contesting candidates and their campaigners must respect the home life of their rivals and should not disturb them by holding road shows or demonstrations in front of their houses. The code tells the candidates to keep it.
4. The election campaign rallies and road shows must not hinder the road traffic.
5. Candidates are asked to refrain from distributing liquor to voters. It is a widely known fact in India that during election campaigning, liquor may be distributed to the voters.

6. The election code in force hinders the government or ruling party leaders from launching new welfare programs like construction of roads, provision of drinking water facilities etc. or any ribbon-cutting ceremonies.
7. The code instructs that public spaces like meeting grounds, helipads, government guest houses and bungalows should be equally shared among the contesting candidates. These public spaces should not be monopolized by a few candidates.
8. On polling day, all party candidates should cooperate with the poll-duty officials at the voting booths for an orderly voting process. Candidates should not display their election symbols near and around the poll booths on the polling day. No one should enter the booths without a valid pass from the Election Commission.

2. Polling Booth

Excepting the voters, no one without a valid pass from the Election Commission shall enter the polling booths.

Observers

The Election Commission is appointing Observers. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observer.

Party in Power

The party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular –

- (a) The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel

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during the electioneering work.

(b) Government transport including official air-crafts, vehicles, machinery and personnel shall not be used for furtherance of the interest of the party in power;

Public places such as maidens etc., for holding election meetings, and use of helipads for air-flights in connection with elections shall not be monopolized by itself. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power;

Rest houses, dark bungalows or other Government accommodation shall not be monopolized by the party in power or its candidates and such accommodation shall be allowed to be used by other parties and candidates in a fair manner but no party or candidate shall use or be allowed to use such accommodation (including premises appertaining thereto) as a campaign office or for holding any public meeting for the purposes of election propaganda;

Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided.

3.The MCC contains eight provisions dealing with general conduct, meetings, processions, polling day, polling booths, observers, party in power, and election manifestos. Major provisions of the MCC are outlined below.

- General Conduct: Criticism of political parties must be limited to their policies and programmes, past record and work. Activities such as: (a) using caste and communal feelings to secure votes, (b) criticising candidates on the basis of unverified reports, (c) bribing or intimidation of voters, and (d) organising demonstrations or picketing outside houses of persons to protest against their opinions, are prohibited.

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 - must establish contact in advance to ensure that the processions do not clash. Carrying and burning effigies representing members of other political parties is not allowed.
- Polling day: All authorised party workers at polling booths should be given identity badges. These should not contain the party name, symbol or name of the candidate.
- Polling booths: Only voters, and those with a valid pass from the Election Commission, will be allowed to enter polling booths.
- Observers: The Election Commission will appoint observers to whom any candidates may report problems regarding the conduct of the election.

4. Recent research into whether military personnel vote or behave politically than the general population has challenged some long-held conventional wisdom. The political behaviour of officers has been extensively studied by Holsti, Van Riper & Unwalla, and Feaver & Kohn In the United States, particularly since the end of the Vietnam War, officers are strongly conservative in nature and tend to identify with the Republican Party in the United States.

Enlisted personnel political behaviour has only been studied more recently, notably by Dempsey, and In body. Enlisted personnel, often thought to behave and vote as did officers, do not. They more nearly represent the general population. In general, the usual demographic predictors of voting and other political behaviour apply to military personnel.