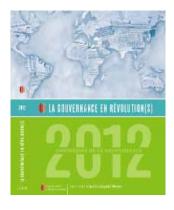# Elections in India
Prestige deriving from practice

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LIKE ITS FESTIVALS, INDIA IS BECOMING FAMOUS FOR ITS ELECTIONS. And like festivals, there is no dearth of elections—the national legislature is elected every five years, the state (provincial) legislatures are elected every five years but these elections may or may not coincide with the parliamentary elections or with each other. Then elections to local bodies too take place every five years but they have their own routine. Thus, one could safely say that in every part of India, some election or the other would be taking place every year if not every month! And like their festivals, Indians enjoy their elections, celebrate elections almost like festivities. But beyond this festive element, elections also carry important significance as democratic expression of people's expectations from the political elite and popular assessments of governments and rulers. During the nineties, a period came when state governments found it increasingly difficult to get reelected. This decade could be best described as graveyard of governments. That assertion by the citizens underscored the relevance of elections beyond the visibility, sound and festivity often associated with them by foreign observers. Elections have become such an indispensible part of the governmental system that most Indians would find the idea of politics and government without elections very strange. Both democratic politics generally and elections as one aspect of it, have become ingrained in the political common sense of India over the last six decades.

Experience of democratic politics and electoral politics in particular in many 'developing' or 'less developed' societies (a euphemism for societies beyond the North of the globe) has defied the received wisdom about the success of democracy and about the socio-economic preconditions of democracy. Traditional wisdom (based on limited empirical evidence) would expect that acute poverty, low literacy levels and wide diversities pose a risk in the democratic endeavour. We now find that over the last three quarters of a century, the democratic ideal became widely pursued; that it met with mixed results but moderate successes in many 'less hospitable' social terrains; and actually threw up new experiments and innovations sustaining its continued existence in many parts of the globe. Thus, 'new' democracies appear to be throwing up lessons for 'older' democracies as well. The lessons from India become pertinent in this context for a variety of reasons.

Firstly, when India embarked on the path of electoral democracy in 1952, India had all the elements that could potentially threaten a successful democracy. Yet, after six decades now, India is an instance of successful practice of electoral politics. Secondly, most of the conditions that existed in India in early 1950s obtain in some of the

societies that are now aspiring for democracy. Thirdly, elections have become institutionalized in such a manner that they now enjoy great acceptability and legitimacy among all sections of the population and are seen as the only way for competing for power. Therefore, this essay summarizes the key characteristics of the electoral process in India listing areas of success, extent of legitimacy and pointing at challenges and concerns.

Early decisions

At the time of writing India's constitution, the makers of the constitution did not require much debate to decide that all adult citizens (having attained 21 years of age) will be entitled to vote in elections irrespective of education, caste, race, religion or gender. At that time, this was an audacious experiment and perhaps for the first time anywhere that adult suffrage was implemented at one go rather than in installments as in many older democracies. Subsequently, the minimum age requirement has been brought down to 18 years since the late eighties. The other decision that has stood India in good stead was the creation of a constitutional body to conduct elections—the Election Commission of India (ECI). The ECI can be a single member commission or multi-member one. Since the nineties, the practice is to have a three member ECI with one member designated as the Chief Election Commissioner. The Election Commissioners are appointed from among senior bureaucrats and have a tenure of six years or till the attainment of 65 years of age. They can be removed before this tenure only by a parliamentary resolution with two-thirds majority (which has never been attempted so far). The adoption of full adult franchise at one stroke and establishment of an independent Election Commission constitute the two basic pillars in making elections authentic.

The Electoral Cycle

The third factor that has made elections authentic is the regularity in holding elections. Electoral system in India mandates that national parliamentary elections (and the state legislative elections) must take place every five years. Though, being a parliamentary form, loss of majority may cause early elections. From 1951-52—when the first general elections were held in Independent India—elections took place at the scheduled time for three consecutive terms and then the government chose to advance elections by a year in 1971. While this was nothing abnormal in a parliamentary system, the postponement of elections in 1976 caused some worries. In 1975, the Government of India declared a state of emergency (ostensibly caused by a threat

from 'internal' disturbances) and postponed the elections. This period of India's democratic politics is one of the most delicate periods when the system tilted somewhat towards an authoritarian form. (The proclamation of national emergency, consequent suspension of fundamental rights and arrests of political opponents are now mostly recognized as a blot on India's democratic career so far. Even at that time—1975-77—this was a contested issue.) The resilience of the electoral democracy in India is evidenced by subsequent events: the same government that indulged in this authoritarian strategy declared elections and set free political prisoners. Elections took place in 1977 and the sitting government was defeated –for the first time since 1952, the ruling Congress party was removed from power. This dramatic development coming in the backdrop of attempts to suspend routine democratic politics during the emergency rejuvenated Indians' confidence in the democratic electoral politics. After 1977, there have never been any attempts by any of the political parties to suspend the democratic system on any pretext. In fact, the post-1977 period witnessed many more elections. This happened because many governments could not complete terms and oftentimes, parliaments failed to throw up a clear majority. Thus, out of turn elections took place in 1980, 1991 and again in 1998 and 1999. So far, in a span of six decades (1950-2011), India has had 15 parliamentary elections. The number of elections to state legislatures is much larger.

Turnout

The story of India's elections is a story of large and mind boggling numbers. The national legislature consists of 543 elected seats currently—meaning that the entire electorate in the country is divided into 543 electoral districts or constituencies. Each of these has an average voter population of .8 to 1.8 million. The total electorate of India was over 670 million in 2004 and 716 million in 2009! There will always be issues of non-inclusion in the electoral rolls, but rarely are there any complaints of systematic exclusion of communities or sections. The ECI undertakes regular exercise for registering voters in the Electoral Rolls and over the last two decades, has also been trying to issue a photo identity card to voters—not very successfully, since many voters are still without these cards. ECI allows voters to vote even if they have any photo identity proof other than the photo identity card issued by it. The National Election Studies (NES—a cross section sample survey regularly being conducted since 1996 for each parliamentary election by *Lokniti*, a programme for comparative democracy at the CSDS, Delhi) of 2004 and 2009 suggest that of those who do not

vote, around ten percent cannot vote due to lack of any identity proof. The proportion may not be very large, but it would still be an area of concern.

Turn out in parliamentary election has been hovering around –or under –60 percent of the registered voters. The high point was 1984 when 64 percent turnout was registered, while some elections have seen a lesser proportion of voters going out to vote. The very first election of 1952 understandably recorded a low turnout of 46 percent. It then went on increasing gradually. In last two decades, 1991 elections witnessed the lowest turnout of 56 percent.

However, the more serious concern relates to the gap between male and female turnout with lesser turnout among women: on an average, a gap of 11 percent. Does this mean that many other socially marginalized communities or weaker sections also record low turnout? Such sections would typically include the religious minorities (Muslims), the backward castes and also the poor. While official data tell us only about the male and female turnout figures, estimates of turnout (based on survey data) among various social sections help us in examining how far the participatory norm is spread evenly across different social segments. Following tables show that urban voters vote less than the rest. There is also some skew in the voting pattern of Muslims (a large minority group in India with a population share of over 13 percent) and the Scheduled Tribes (the members of tribal communities accounting for around 8 percent in the population). Within these limitations, we can still argue that social inequalities affect chances of voting to a very limited extent. The other area of emerging concern on this matter is the decline in the proportion of turnout among the poor. Thus, India's electoral process has managed to partially neutralize the effects of social stratification and bring about some political leveling indicative of a socially accepted electoral system but the poor seem to be withdrawing more from the electoral process.

Table One: Turnout among urban and rural voters

	1999	2004	2009
Urban	53	54	52
Semi-urban	62	59	61
Rural	61	59	59
All India	60	58	58

Table Two: Turnout among different social segments

	1999	2004	2009
SC	63	60	59
ST	52	61	60
OBC	59	58	59
Muslim	67	46	59
Upper caste	62	56	58
All India	60	58	58

Table Three: Turnout among economic classes

	1999	2004	2009
Upper Middle	56	58	58
Lower middle	60	59	59
Very Poor	62	58	56

Note: All figures rounded off. Source for Tables 1 to 3: Data for the above tables is derived from the National Election Study, 1999, 2004 and 2009 consisting of cross section sample surveys; N=9418 (1999), 27,004 (2004) and 36,182 (2009). Courtesy: CSDS Data Unit.

Women's representation

Besides share in turnout, representation of women in India's legislatures has been far less: while one could take satisfaction from the fact that women's representation in national parliament has risen from 4.4 percent in 1952 to over ten percent in 2009, it is generally agreed that this is much less than expected. Fewer women get involved in party work; fewer women get candidatures by political parties and fewer women get elected. Since the mid-nineties, there have been discussions both in parliament and outside, about introducing 'quotas' for women by reserving seats in the legislature for women candidates. This idea is not new to India's electoral system because the Constitution provides for 'reserved seats' to the two most backward communities (scheduled castes and scheduled tribes) in proportion to their share in the population. (Reserved seats refer to electoral districts from where only candidates belonging to a particular social section can contest election though all registered voters from that constituency are entitled to vote—this ensures that while candidates have to draw support across communities, certain communities will have a guaranteed representation in the legislature.) However, debate among political parties has not produced

an acceptable mechanism for women's representation through reservation of seats. While this debate remains inconclusive, a Constitutional provision has already been made (and is operational since 1995) mandating 33 percent 'reserved seats' for women in local elected bodies –both among members and among office bearers. Thus, one third of India's elected local representatives and office bearers are women.

Expansion of democracy

In mid-nineties, turnout improved slightly; turnout among less privileged social sections too improved; and alongside this development, the number of candidates contesting elections too rose up dramatically. This development has been described as 'democratic upsurge' by India's leading political scientist, Yogendra Yadav. While the debate over quotas continued, the gross numbers of persons contesting elections has increased considerably: In the first election (1952) there were 1800 candidates (3.1 per seat). In the last election of 2009 this has risen to over 8070 (14.8 per seat). Elections of 1996 recorded the highest number of candidates so far: 13952 (25.7 per seat). This expansion in number of candidates is also matched by the expansion in the number of parties represented in the parliament: while there are two major parties around which two coalitions of parties have emerged, during the last decade, 38 and 37 parties have been represented in the national parliament respectively in 2004 and 2009.

Popular confidence in elections

The success of the election mechanism lies in the fact that very rarely election results are seen as fake or unreliable. The election outcome in 1977 has already been discussed briefly. What is noteworthy here is that a government, that was seen as authoritarian, did not/ could not interfere with the outcome of the elections and was actually thrown out of power. The elections to state legislatures have also from time to time produced outcomes upsetting the existing power holders but that has been accepted by public in general and by the defeated parties as well. The latest example is the rout of the Communist party in the state of West Bengal. The party accepted that defeat without any ado. Even in insurgency affected states, election results are not seen as manufactured. But there are instances when election results based on very low turnout created some unease: in the state level election in Punjab in 1992, only 24 percent voters voted. Similarly, in the Kashmir valley region of Jammu & Kashmir, there have been instances of low turnout resulting in overall state level turnout being as low as 26 percent in 1989 parliamentary election. In 2002, Kashmir valley region

of Jammu and Kashmir recorded a turnout of only 23 percent resulting in overall turnout of 35 percent for the entire state (though this improved dramatically in the state level election of 2008). Some would think that the Election Commission needed to attend to this issue more seriously—there is no rule dictating a minimum turnout for elections to be valid; but could the ECI insist on a minimum turnout for augmenting the legitimacy of the election process and its outcome? Barring such complex situations, the overall acceptance of the election results is always based on robust turnouts and acceptance of the outcome by all contenders.

The foregoing details not only tell the story of a huge exercise but also the story of popular acceptance of the electoral process generally. Outcomes of elections have never been seriously contested by opponents or losers. While individual contestants would come up with specific complaints, overall, the conduct of elections is never marred by gross abuse and/or partisan handling. The National Election Study (mentioned above) has been monitoring citizens' opinions, among other things, about the conduct of elections, trustworthiness of the election machinery and the effectiveness of vote. More than seventy five percent respondents in the nationwide survey say that the conduct of elections is fair. No wonder then that the institution that is entrusted with the conduct of elections, the Election Commission of India, enjoys fairly high degree of trust among the voters compared to many other political institutions. In fact, only one in every five voters is skeptical about the trustworthiness of the Election Commission.

This does not mean that there are no malpractices during the elections. Before the introduction of the electronic voting machines in 2004 and prior to increasing insistence on voter photo identity cards, there used to be many complaints of rigging and 'bogus voting' (i.e. impersonation and voting in the name of some other voter). These have now come down considerably. The Election Commission has also embarked upon preparing electoral rolls with voters' photos displayed on the roll itself. This along with the digitization of the electoral rolls (electoral rolls are now available on the website of the Election Commission) have made the entire process much more transparent than before and hence the Election Commission has earned respect across the political spectrum. Yet, there would be other forms of electoral malpractices. These include violence during campaign, intimidation of the voters, use of monetary incentives to lure the voters, gross misuse of resources, etc. The Election Commission often undertakes huge exercises to contain such malpractices. While it is difficult

to quantify the exact extent of such malpractices, surveys in 2004 and 2009 show that around one in every ten respondents reported an increase in election related malpractices. In contrast, in 2009, one in every four voters felt that malpractices had decreased. This proportion was slightly higher (30 percent) in 2004. Thus, on perception about fairness of the electoral system, trustworthiness of the election machinery and on electoral malpractices, the overall response of the citizens is favourable.

In summary, the existence of appropriate procedures makes the election machinery effective; its non-partisan character makes it trustworthy; and the success in retaining the regularity of elections on such gigantic produces awe and faith in efficiency of the machinery. At the same time, there is a healthy tradition of criticism. This criticism takes two forms: one is about the functioning of the election machinery and the other is larger in scope, encompassing issues of representation and accessibility.

Criticisms about procedures

Procedural criticisms point to the possibility of partisanship since the Election Commissioners are appointed by the government. Secondly, it is pointed out that at grassroots level, the election machinery may succumb to pressures from local political bigwigs. Thirdly, critics would also argue that Election Commission tends to implement the strict rules and procedures somewhat selectively. However, over the years, and particularly since the 1990s the stature of the Election Commission has increased enormously and its independence has also been strongly underscored through actual practice and judicial rulings. The effective use of technology to detect and record violations of election related rules, insistence on regular filing of details of election expenses and similar mechanisms have ensured that the violation of fair electoral practices invite severe disincentives. Besides, the Election Commission has earned respect mainly because of its success in drastically reducing the incidence of violence and booth capturing (rigging) in states which had earlier experienced much electoral violence. Thirdly, during the past two decades, the Election Commission has also focused on regular revision of electoral rolls and pruning of the registers to ensure that duplicate or bogus voters are deleted from the rolls. Such initiatives would not of course ensure hundred percent clean elections. Conduct of elections will keep facing challenges. Thus, in 2009 elections the practice of 'paid news' posed a major challenge since most of the times these paid news were published as news rather than advertisements. This violated both the code of election expenses and the voters' freedom of information.

Larger challenge of electoral reforms

Deeper criticisms would flow from the argument that organized money power has the ability to effectively 'rig' elections and similarly, organized intimidation can distort free exercise of right to vote. The other set of criticisms would rest not so much on procedural lapses or challenges but substantive issues involved in the manner in which elections take place. This genre of criticism would point to the huge size of the electorate making it difficult for a representative to effectively protect interests of her/his voters and also to aggregate the same with larger public interest. Similarly, in a first-past-the-post system (FPTP) where simple plurality of vote is sufficient, an elected representative may not—and in actual practice does not—carry majority of her/his electorate. A person is elected only because s/he gets highest number of actual votes polled. So, the critics would argue for electoral reforms leading either to proportional representation system or a requirement that a representative must get a certain proportion of votes from the constituency.

This issue has been of some interest for smaller political parties since they tend to be at the wrong end of the FPTP system. It is pointed out that there is a mismatch between votes polled by a party and seats won in the legislature. The Congress party benefitted from this mismatch during the period 1952-1971 since it won seats disproportionate to its vote share: thus in the very first election of 1952, the Congress party (which had led the movement for independence) polled 45 percent votes but won over 74 percent seats in the national parliament. However, since after 1984, the rise of competitive party system has meant that the gap between votes and seats has reduced considerably: in 1989, the main ruling party (Janata Dal) polled 40 percent votes and won 37 percent seats while in 2004 the ruling party (Congress) polled 26.5 percent votes and won 26.7 percent seats. This trend was somewhat reversed in 2009 with the ruling party polling 29 percent votes and winning 38 percent seats.

Other suggestions pertaining to electoral reform include the idea that voters be allowed to register a negative vote if they do not want any of the contesting candidates. More radical reforms like right to recall a representative, too, make appearance from time to time. During the seventies it made an appearance and more recently, the anti-corruption agitation has again brought forward this issue. A still larger set of reform oriented criticism takes up the issue of constituency size (arguing for smaller electoral districts). Role of money power is another area of concern and critics argue that there must be state funding of election campaigns including free time on electronic media

to ensure that candidates with limited resources are not eased out of the competition only because of inequality of resources. Those interested in larger political reforms as a prerequisite for better election practices also emphasize the need to regulate the political parties more strictly and effectively. This school of thought believes that India's political parties are internally less democratic in their functioning and require legal regulation mandating registration of members and systematic methods of distributing election tickets. Supporters of political reforms also expect that voters are entitled to greater information about candidates and through a Supreme Court fiat, it is now mandated that every candidate must file an affidavit declaring her/his family's assets, sources of income and above all criminal charges if any recorded against him or her—the last point is particularly of interest to many since it is alleged that many candidates often have a criminal past (though not conclusively proved in a court of law).

The responsibility of changing election related rules and practices rests with the parliament. The Election commission can only recommend changes toward electoral reform. Skeptics would therefore always wonder whether parties will agree to reforms that enforce more restrictions on the way parties function. The debate over electoral reforms has been a lively and very enlightened debate. Formal reforms would obviously take time, but judicial intervention and public pressure certainly ensure some progress in this direction. Politics have the tendency to respond to practices rather than to rules and regulations alone. This will be true of reforming election related practices as well.

All the criticisms and reform proposals notwithstanding, the earnestness of voters, the intensity of debate over reform, the seriousness with which parties try to win elections, the media glare on elections and the huge public interest elections (and their outcomes) generate—and most of all the fact that governments entirely depend upon elections for their existence and survival, all unmistakably indicate the prestige and popular acceptance of elections as a principle and also as a reality of India's democratic politics.

In conclusion, we need to note one interesting aspect: elections in India have earned legitimacy not because of any inherent qualities of the system but because of the investment made in elections by the elite and masses alike. It is not just the system of elections per se but the history of electoral practices producing credible outcomes

that has earned legitimacy. Therefore, the credit goes to those who framed the system, those who monitor it, and also to those who practiced it over the last six decades.