Concerns with Electronic Voting Machines

What is the issue?

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Malfunctions in Electronic Voting Machine (EVM) affects the free and fair nature of conducting elections in India.

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What is necessary to ensure a free and fair election?

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- A democratic nation gives moral legitimacy to the government.
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- This legitimacy is ensured through the people's will and this in turn is expressed through the vote.
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- Not only must this vote be recorded correctly and counted correctly, it must also be seen to be recorded correctly and counted correctly.
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- The recording and counting process must be accessible to, and verifiable by, the public.
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- So transparency,verifiability, and secrecy are the three pillars of a free and fair election.
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- Paper ballots ensure these, since the voter can visually confirm that her selection has been registered, the voting happens in secret, and the counting happens in front of her representative's eyes.
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- But in the case of EVMs, there were many reports of misbehaving EVMs in recent assembly elections, which serves as a cause of concern.
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What are the concerns?

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- **On transparency** - EVMs are neither transparent nor verifiable.
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- Neither can the voter see her vote being recorded, nor can it be verified later whether the vote was recorded correctly.
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- What is verifiable is the total number of votes cast andnot the choice expressed in each vote.
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- **On verifiability** - An electronic display of the voter's selection may not be the same as the vote stored electronically in the machine's memory.
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- To rectify this, the Voter Verifiable Paper Audit Trail (VVPAT) was introduced.
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- VVPAT is a method of providing feedback to voters using a ballot less voting system.
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- A VVPAT is intended as an independent verification system for voting machines designed to allow voters to verify that their vote was cast correctly.
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- It contains the name of the candidate (for whom vote has been cast) and symbol of the party/individual candidate.
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- But VVPATs solve only the problems at the voting part and the counting part still remains an opaque operation.
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- Also, at present, the EC's VVPAT auditing is restricted to one randomly chosen polling booth per constituency.
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- However, this sample size will fail to detect faulty EVMs 98-99% of the time.
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- VVPATs can be an effective deterrent to fraud only, when the detection of even one faulty EVM in a constituency is followed by the VVPAT auditing of all the EVMs (at all booths) in that constituency.
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- This poses a serious logistical challenge and hence VVPATs are not the answer to counting level failures.
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- **On secrecy** - With the paper ballot, the EC could mix ballot papers from different booths before counting, so that voting preferences could not be connected to a given locality.
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- However, the votes cast via EVMs are counted on individual booth basis, which allows one to discern voting patterns and renders marginalised communities vulnerable to pressure.
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- A totaliser machine was proposed as a remedy to this alternative.
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- Totaliser machine allows votes from 14 booths to be counted together so that voters are saved from pre-poll intimidation and post-poll harassment.
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- But the EC has shown no intent yet to adopt them at the national level.
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- So, on all three counts such as transparency, verifiability and secrecy — EVMs are flawed.
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- Also, the recent track record of EVMs indicates that the number of malfunctions in a national election will be high.
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What should be done?

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- EVMs fail on all three pillars, as established by a definitive judgment of the German constitutional court in 2009.
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- The court's ruling forced the country to scrap EVMs and return to paper ballot.
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- Other technologically advanced nations such as the Netherlands and Ireland have also abandoned EVMs.
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- But in India, EVMs continue to enjoy the confidence of the EC, which insists that Indian EVMs are tamper-proof.
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- This confidence is based on a matter of trust.
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- But the precondition of this trust is the verifiability of election events,

whereas in the case of EVMs, the calculation of the election result cannot be examined from outside.
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- Another argument made in favour of the EVM is that it eliminates malpractices such as booth-capturing and ballot-box stuffing.
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- In contrast, tampering with EVM could accomplish rigging on a scale unimaginable for booth-capturers.
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- Thus, the EC is obliged to provide the people of India a polling process capable of refuting unjustified suspicion, as this is a basic requirement for democratic legitimacy.
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Source: The Hindu

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