Reflecting upon General Elections 2019 - Electoral Process

What is the issue?

The general elections for the 17th Lok Sabha saw some serious concerns being raised on the functioning of the Election Commission (EC).

> ***A democracy is only as credible as the strength of the institutions fundamental to its legitimacy.***

What were the key contentions?

- **Long election** - Questions were raised about the prolonged election of seven phases.
- The EC has always maintained that the most pressing concern is voter security, for which the Central armed police forces are deployed.
- But due to their limited availability, they had to be deployed on rotation, and so is the multi-phase election.
- If the numbers of these forces were adequate, the EC could conduct elections in one day.
- **MCC** - There was an unprecedented attack on the EC for being soft on the top leadership of the BJP for repeated violations of the Model Code of Conduct (MCC).
- The MCC is much more difficult to operationalise in the age of social media and in a prolonged election nature.
- The cost-benefit analysis of multi-phase versus short phase elections in the face of such new challenges should be done afresh.
- **Money power** - It is becoming more and more expensive to contest elections.
- In this backdrop, the role of money power was alarming in this election and the problem of black money was alive.
- Money, drugs/narcotics, liquor, precious metals and freebies worth around Rs. 3,500 crore were seized this time (Rs. 1,200 crore in 2014).
- According to EC, Tamil Nadu, Gujarat, Delhi, Punjab and Andhra Pradesh were the top 5 States/UTs that accounted for the total seizures.
- A cause for worry is that drugs/narcotics formed a large part of the seizures, with Gujarat topping the list in this.

- **VVPAT** - The EC was questioned for its stand on the sample size for Voter-Verified Paper Audit Trail (VVPAT) verification.
- The Supreme Court had advised the EC to increase the mandatory random counting to 5 VVPATs per Assembly segment.
- This laid emphasis on better voter confidence and credibility of electoral process.
- As the election progressed, the Opposition made two more demands:
    i. the 5 machines must be counted in the beginning
    ii. in case of even one mismatch, all machines in the Assembly segment must be counted
- The EC examined these proposals only to reject them as being unfeasible.
- Rather than being on the defensive, the EC should have discussed this issue with political parties, with an open mind.
- **Judiciary** - The Supreme Court's repeated interventions (as many as 6) during the elections have long-term implications.
- Notably, Article 329 of the Constitution bars courts from interfering in electoral matters after the election process has been set in motion.
- But the court had to intervene repeatedly for the much needed course correction.
- The court expressed displeasure over the EC's stand when it submitted that it was "toothless" and "powerless" to act on hate speeches.
- On SC setting EC a deadline to act on this, the EC took strong and unprecedented action against some political leaders.
- It debarred them from campaigning for up to 3 days by invoking Article 324.
- This was laudable, but when it came to acting on complaints against the Prime Minister and the BJP president, it reacted differently.
- **Dissent in EC** - It came to light that at least one Election Commissioner had dissented in 5 out of 11 EC decisions concerning MCC violations. Click here to know more.
- Dissent is good news for a constitutional body as it is a healthy sign of objective deliberation and democratic functioning.
- His demand for his dissenting note to be made public was worthy of positive consideration.

What lies ahead?

- The election process in India that deserved to be remembered as a subject of national pride became mired in several controversies.
- The role of money power, paid and fake news, communal polarisation and hate rhetoric pose serious challenges to the very foundations of India's electoral system.
- India must introspect over these issues and find answers.

Source: The Hindu

