

Challenges and Hurdles Regarding Free and Fair Elections in India: A Study of Voters' Opinion

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ABSTRACT

India claims to be the world's largest democracy. Over the last 65 years, it has seen the execution of successful electrical campaigns, peaceful changes in the government at Focus and in the States, and people guiding freedom of speech and articulation, religion, and progress. India is experiencing social and economic change. Similarly, we constantly consider arguments about the prevalent inequities, lack of assumed fulfillment, and betrayal of some elements of society. Individuals do not feel like they are participating in this complete voting procedure. This is because a system based on majority rule represents the public authority of the people, for the people, and by the people. It implies that a majority-rules government is not confined to the system of choices but also to fulfilling people's economic and social desires. People in our country discuss different aspects of a majority rule system, including its successes and drawbacks. In this method, a large number of investigations have been conducted.

Keywords- elections, free and fair, electoral candidates.

I. INTRODUCTION

Democratic refers to the notion of free and fair elections, which includes even the early phases of elections, such as the delimitation of electoral districts, the review, production, and update of voter registration rolls, etc. The notion of free and fair elections encompasses both political equality and liberty. Regarding election problems, it primarily signifies that no one is in the servitude of another according to the election process, having personal liberties, political freedom, and social freedom, with the thought process and decisions according to legal discipline.

One is not subject to party, caste, creed, religion, language, sex, or discipline while exercising his right to vote, nor is he subject to any prohibitions on corrupt or illegal acts. Consequently, free elections are seen as the foundation of a democratic system of governance. Several unfavorable aspects of the electoral environment deteriorated over time. In the first two

stages after implementing the model code of conduct, money power has been utilized so openly that seizures of unaccounted wine, cash, narcotics, and bullion have occurred (Thomas et al., 2019).

The total sum exceeds the seizures made throughout the nine stages of the 2014 general election. Even more unpleasant is the fact that it contains a large quantity of illegal liquor and narcotics from the state of Gujarat. The state of Uttar Pradesh is saturated with alcohol. Tamil Nadu had the highest amount of illicit currency confiscated. The large amount intended to influence or pay voters is just a tiny portion of the unlawful expenditure that has been fully uncovered. A considerable amount has already been spent without knowledge of the ECJ or any other regulatory body.

The political actors have also modified their processes. They are many steps ahead of the ECE's observers and the vigilance teams, primarily by transferring cash to electoral destinations before the announcement of elections. In recent years, several types of electoral misconduct have surfaced. In addition to

both capture and voter intimidation, voter bribery and media-assisted voting manipulation have become unethical voter influence strategies. In recent years, there has been an upsurge in corruption in public life, in which officials and politicians have diverted available resources for their use.

As per the report of the Vohra Committee, the criminalization of politics, as well as corruption at the high levels, has been damaging the system and the edifice of the parliamentary democracy, the civil servants, the political authorities, and also the judiciary. In this era of the external support and coalition of the governments in states and centers, it is a fact that representatives of people in Assemblies, as well as the parliament, accept bribes for supporting some particular Government. Economic power is one of the most crucial factors in elections since the modern-day devices of election propaganda are pretty expensive. The availability of significant funds generally helps increase the number of votes the candidates receive. The money often takes the course of black money, which is collected with the help of illicit and nefarious means.

Electoral bonds used to enable transparent and legitimate means of funding have also been reversed (Dreher & Fuchs, 2016).

II. LITERATURE REVIEW

Elections are considered the integral and the most significant parts of the political system in a democracy. While politics is considered to be the art and practice of dealing with political power, elections are a process to legitimize this kind of power. Democracy may indeed function only on this faith that the elections are fair and accessible and are not rigged or manipulated and also that they are efficient instruments for ascertaining popularity within the form and in reality, and they are not just rituals that are calculated for generating the illusion of the differences to the mass opinions. It cannot survive without fair and free elections (Ottersen et al., 2017).

The political choice could be held in better conditions, considering the massive proportion of money that should have been spent and the immense muscle influence needed to dominate the races. While the underlying three general races (1952-62) in our country were all over free and sensible, a distinguishable abatement in standards began with the fourth wide political race in 1967. Such events were represented in the fourth wide political choice. All through the long haul, the Indian optional system encounters veritable diseases. The political race process in our country is the progenitor of political corruption (Wigley & Akkoyunlu-Wigley, 2017).

Distortion in the workings appeared for the first time during the fifth general elections in 1971. It multiplied significantly during successive elections held in the 80s and after that. Some of the electoral candidates

and the parties participated in the procedure of the elections to win them at any cost, irrespective of moral values. An ideal condition requires an upright and honest individual who may be public-spirited and wishes to serve people should be allowed to contest and be elected as the people's representative. However, as mentioned earlier, this person has no chance of contesting elections or winning the same (Curzi, Olper, and Swinnen, 2016).

The Commission is of the view that keeping an individual who is blamed for genuine criminal cases and where the Court is from the beginning happy as for his responsibility in the awful conduct and this manner spread out charges, out of picked field would be a sensible breaking point in more prominent public interests (Truex, 2015).

The election may be held in different ways. All the democratic nations hold elections. However, most of the non-democratic nations even hold different types of elections. How can we tell whether democratic elections are distinct from other types? There have been several discussions about similar cases. These cases include elections, yet they cannot be called democratic elections. Therefore, everyone should have the option to choose. This implies that each person should have options from which to choose. The candidates and the prices should be entirely free to participate in elections and provide voters with viable options. Then, the alternative is displayed at regular intervals. The elections should occur every two years regularly. People's favored candidates should be selected.

Additionally, elections must be handled freely and fairly, allowing the electorate to select freely. It may seem simple, with simple circumstances. Nonetheless, there are several countries where these may still need to be met. Several studies have examined the application of these parameters to elections in their country. (Collier and Hoeffler, 2015).

The founders of the Republic envisioned a representative parliamentary and democratic government since India's polity should reflect its values, needs, and history. They also envisioned adults' nondiscriminatory and equitable involvement in this democratic activity. Choosing people's representatives via universal adult franchises and fair and free elections was intended for their benefit. The universal adult franchise was an ambitious and daring political experiment and a sign of the founders' unwavering trust in the nation's vast populace and inherent wisdom. (Sterck, 2019).

These elections have been successful and are usually considered to be fair and accessible. However, the experience even brought a lot of distortions, some of which were quite serious, creating deep concerns in many quarters. There are references to an unhealthy role of the power of money, the power of muscles, and even mafia power, as well as to criminalization, communalism, corruption, and casteism (Kwaku, 2019).

Specifically speaking, the Commission even found that one of the main issues may be spotted as the rising cost of elections causing unethical, illegal, as well as mafia-provided electoral funds, criminalization, corruption, and generation of black money in different forms (Epstein & Robertson, 2015).

With voters having no role in selecting candidates and the majority of candidates being selected by a minority of votes under the first past, pos paradigm, the agent character of delegates became implausible, and their genuine authenticity was destroyed. In most instances, a more significant number of votes were predicted against winning up-and-comers than they received. One substantial and legitimate argument may be a crossover between majoritarian and first-past-the-post systems, various parties, and many free candidates. (Wang, Mechkova, Andersson, 2018).

The whole issue of defections and the tenth timetable. The faulty and incorrect electoral rolls and the voters' identity resulted in election fraud and the denial of voting rights to a substantial number of people. The capture of the polling booth and fraudulent voting by manipulation and impersonation. The use of physical force intimidates people into voting against their will or not voting, denying a significant portion of the population their right to vote freely and altering the results.

The involvement of officials and local government in the subversion of the voting process is also crucial. The deliberate errors were made during the total vote count. The criminalization of the political process, since many candidates have serious criminal histories. Problematic and problematic tendencies recall the misuse of position and religion for this system of assembling characters along non-philosophical lines. A sluggish and inadequate legal system for managing political campaign petitions renders the interaction routinely ineffective. Nonserious and phony rivals pose considerable obstacles, and they are implicitly used to undermine our electoral system. (Collier, 2017).

There are several aspects to the local government and officials' subversion of election processes. First are the deliberate errors in vote counting, the criminalization of the electoral process, and the expanding number of participants with serious criminal convictions. Disruptive and divisive tendencies in the political mobilization of group identities along non-ideological lines include the abuse of caste and religion. A long and ineffective court process for handling election petitions often makes the whole process worthless. Nonserious and phony candidates generate significant practical challenges and indirectly corrupt the electoral process. (Prichard, 2016).

Consistency in constituency delineation leads to adequate representation of the concerns of instability, the legislative chamber, and their connection to election procedures and legislation. Lastly, a loss of systemic

legitimacy resulted from a fall in political morality, the spirit of service, and sacrifice in public life. (Bishop, Hoefler, 2016). Additionally, democracy may be characterized in numerous ways. There may be two primary categories for economic, political, and social conditions: the fulfillment of first-cause political democracy and social democracy. The first one is democracy's political condition (Collier, 2015).

For a society to be democratic, it is crucial to have laws and constitutions that give the people the utmost authority. The country's constitution should protect fundamental human rights such as freedom of thought, equality and speech, freedom of movement, religion, association, and communication. The system of democracy needs to have the universal adult franchise as a base for electing representatives at different levels of government (Meyer, 2018).

In addition, all people must have the opportunity to participate in politics, not just in the election process at various intervals but also in all other areas of political activities. There should also be a responsible government in which the executive is accountable to the legislature, the legislature to the people, and the judiciary is independent. (Ankit, 2017). Political institutions, such as political parties, pressure groups, and interest groups, such as non-governmental organizations and associations, must be functioning to articulate the populace's wants, needs, and frustrations. The democratic system is also enhanced if it can preserve diverse types of educated public opinion with the aid of a free press or another method of communication. Therefore, political democracy combines all of these political characteristics. (Salehyan and Linebarger, 2015).

It is commonly believed that, in many instances, effectively contesting elections requires a large amount of money, which is often far higher than the required limits. While it is true, the complexity of this issue can be gauged by the fact that there has been and continues to be a general clamor among political leaders and participants that the limits expenditure of elections are low and need to be increased. Most candidates who contest elections and declare their expenses in election expense reports submitted to the election commission have to spend anything between the limit of and the limit of. (Sabo et al., 2015).

Only some candidates that have been announced have spent between 90 and 95 percent of this amount. Many participating candidates and political parties protest that the restriction is excessively low and urge its adjustment. The Election Commission in India is held responsible for maintaining the low limit. In reality, such restrictions are established mainly by the Ministry of Justice and Law's Legislative Department. The authority to alter these rules rests solely in the hands of the government. The election commission has proposed restrictions that are essential. It is up to the government

to make the ultimate decision for the day. In addition, there is a common assumption that politicians often share that actual expenditures surpass budgetary constraints. Many individuals, including politicians and former members of the Chief Election Commission, argue that limitations do not seem to serve their intended purpose and should thus be eliminated. (Sarma & Bhattacharyya, 2021).

However, there are legitimate concerns regarding excess use of the power of money in the process of elections which causes severe distortions in the basic functioning of the democracy in India (Dutta, 2017).

The extremely high cost of elections creates a good compulsion degree for corruption in the public domain that sources of electoral funding are even considered to be unaccounted for criminal money, unaccounted funding from the business groups that expect high returns on their investments, commissions, contracts, and kickbacks and also that the electoral compulsions for the funding become base of the entire superstructure for corruption (Chaitanya, 2015).

The democratic system needs to ensure that social development is in sync with democratic norms and values, reflecting the equality of social opportunities and status for development, social welfare, and social security. The citizens should avail themselves of the opportunities of compulsory and universal education. They should even be enabled to utilize the means for economic development (Pulla, 2017).

The product of financial development and advancement should arrive at everybody, particularly in poor and denied areas. The financial improvement of individuals helps in fortifying the social majority rule government. Since the autonomy of India, the nation has been working as a dependable and individual majority rules government. The worldwide local area has additionally valued the equivalent. It effectively adjusted to testing and tough spots (Neggars, 2018). There likewise have been reasonable and accessible occasional decisions for the political workplaces from panchayats to President. There has likewise been a smooth exchange of political powers from one ideological group or a bunch of ideological groups to others at the state and the general levels on various events. You would likewise observe many models in adjoining countries like Bangladesh, Pakistan, and Myanmar, where the exchange of force is finished by tactical upsets (Khatua et al., 2015).

III. OBJECTIVES OF THE STUDY

1. To find the challenges and hurdles regarding free and fair elections in India
2. To ascertain the challenges and hurdles regarding free and fair elections in India

IV. RESEARCH METHODOLOGY

The present study is descriptive, wherein the challenges and hurdles regarding free and fair elections in India were analyzed. The sample taken for the study is 160. The information was gathered with an organized poll on a five-point scale and investigated with the assistance of the mean qualities and t-test.

Table 1: Demographic profile of the respondents

Variables	Number of respondents	% age
Gender		
Males	75	47%
Females	85	53%
Total	160	100%
Profession		
Businessman	37	23%
Teacher	48	30%
Housewife	21	13%
Student	54	34%
Total	160	100%
Age		
20-35	65	40%
35-50	57	36%
50-65	38	24%
Total	160	100%

Table 1 presents the demographic profile of the respondents on the challenges and hurdles regarding free and fair elections in India. There are 47% males and 53% females in the study. Among the respondents, 23% are into business, 30% are teachers, 13% are homemakers, and 34% are students. 40% of the respondents are 20-35 years of age, 36% are 35-50, and 24% are 50-65.

Table 2: Mean Value of the challenges and hurdles regarding free and fair elections in India

Sr. No.	Statements	Mean Score
1.	Free and fair elections in India is a myth	4.00
2.	Democracy is not just about free and fair elections	4.09
3.	Free and fair elections pertain to the political equality	4.08
4.	Elections are one of the most critical procedures of the political system	4.12
5.	Democracy can work on the faith that the elections are being based on free and fair means	4.04
6.	Manipulation in the election process	4.02

	is easy and familiar in India	
7.	The participants of political parties try to influence the voters through different means	4.10
8.	The promises made by the political participants are never fulfilled	4.01
9.	Every vote counts, and thus every voter should vote	4.15
10.	A voter should not be allowed to choose NOTA	3.98

Table 2 displays the responses of respondents. It is recognized that every vote counts. Hence each voter should cast a ballot with a mean value of 4.15. Elections then follow. This is one of the essential operations of the political system (4.12), and political parties attempt to influence voters via various tactics (4.10). However, democracy is not just about free and fair elections (4.09). Free and fair elections pertain to political equality (4.08), democracy depends on the belief that elections are based on free and fair means (4.04), election process manipulation is easy and familiar in India (4.02), political participants never keep their promises (4.01), Free and fair elections in India are a myth (4.00) were also deemed significant. Reasons such as a voter not being permitted to choose NOTA (3.98) were also deemed crucial.

Table 3: Challenges and hurdles regarding free and fair elections in India

Sr. No.	Statements	Mean Score	t-Value	Sig
1.	Free and fair elections in India is a myth	4.00	6.436	0.000
2.	Democracy is not just about free and fair elections	4.09	7.642	0.000
3.	Free and fair elections pertain to the political equality	4.08	7.632	0.000
4.	Elections are one of the most critical procedures of the political system	4.12	7.994	0.000
5.	Democracy can work on the faith that the elections are being based on free and fair means	4.04	7.077	0.000
6.	Manipulation in the election process is easy and familiar in India	4.02	6.700	0.000
7.	The participants of political parties try	4.10	7.804	0.000

	to influence the voters through different means			
8.	The promises made by the political participants are never fulfilled	4.01	6.663	0.000
9.	Every vote counts, and thus every voter should vote	4.15	8.390	0.000
10.	A voter should not be allowed to choose NOTA	3.98	6.304	0.000

Table 3 displays the t-test findings. According to the table, the significance value for each assertion is less than 0.05. Therefore, any observations addressing obstacles and difficulties to free and fair elections in India are pertinent.

V. CONCLUSION

The act of voting in democratic elections is just one facet of what it means to be an active participant in democratic politics. Being a member of one of the political parties is the most significant way to participate in the political process. Participation as an active member of non-governmental, non-profit organizations, sometimes called "civil society organizations," is another essential component. The organizations that make up civil society are primarily responsible for representing various interests on behalf of various groups, such as students, women, medical professionals, students, teachers, religious believers, business owners, activists, and so on.

The people are tasked with developing a democratic framework that is accountable and responsive to their needs. They are obligatory to guarantee the accountability of members of parliament, representatives of the Panchayati Raj, legislators in state legislatures, and municipal institutions. The Right to Information Act, passed in 2005, was responsible for creating these tools nationwide, allowing individuals to participate more effectively. The public must keep a close eye on how their political representatives and leaders communicate their interests and ideas and how they employ the authority they possess.

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