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DEMOCRACY AND ELECTORAL REFORMS

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ABSTRACT

"I don't agree with the opinion that you impose even if death is right. But I will stand with you to express your dissent even with my life.

... Voltaire

After the Second World War, India gained independence on August 15, 1947 and emerged as one of the largest democratic state in the world. Before 1950, the people of the country unanimously accepted the parliamentary democracy, republic and federal system through the Constituent Assembly. That is, the Constitution which came into effect on January 26, 1950 allowed for parliamentary democracy. Parliamentary government is responsible government. Here the Executive is responsible to the Legislature and the Legislature to the people. The Constitution allows for universal adult suffrage. The right to vote made the people lords. A democracy represents the interests of everyone in all sectors. Democracy is the political system of a country, in a democratic system the whole country is like a family, the elders should work day in and day out for the happiness of the members of the country, and the people should be devoted to the development, empowerment and security of the common people of the country. But today the people's representatives are corrupting and making them look like victims by diverting the interests of the masses for their selfish politics and power-hungry. So Aristotle, the father of political science, said that democracy is a perverted (impure) government. Today, in a democratic government, power is in the hands of the haves. Competition for representation is taking place among the haves and power is shifting among them. It is out of reach for the masses.. This is a testimony to the fact that the system of feudalism, priestism and patriarchy is still alive in Indian society. Thus, the level of awareness of their political education is low as the masses do not get the necessary infrastructure. Similarly, the Election Commission, a constitutional body of the Government of India, has introduced and is introducing several electoral reforms to prevent the influence of power, violence, muscle power, black money and etc., It also educates the masses about the importance of voting. The Lok Sabha representing all parts of the country is representing as per the referendum. It is a popular house that safeguards the interest of the people. It occupies an important position in safeguarding the constitutional aspirations of the country. Besides, this parliamentary democracy provides a platform for people to express and realize their aspirations and solve problems and challenges. The successful functioning of parliamentary democracy is a remarkable achievement of today's India.



KEYWORDS: *parliamentary democracy , violence, muscle power, black money.*

INTRODUCTION

The modern era is called the democratic era. Today more than 190 countries in the world are democracies. In addition to this, the France Revolution and the writings of Rousseau, Voltaire, Montessco etc. are the main reasons. Two world wars were fought for the survival and protection of democracy. After the Second World War, most of the countries of the world became independent and adopted democratic systems.

The English word Democracy is derived from two Greek words Demos and Kratia. It means people's power or democracy.¹ Democracy is the political system of a nation. Democracy is a system in which people actively participate directly or indirectly in the political affairs of a state. A democracy is a system of government where decisions are made through debate, where dissent is allowed and governance is governed by popular opinion. Disagreement matters only in a democratic system. A political system where dissent does not matter is a totalitarian regime. If the sovereignty of the state rests in the hands of the people and is directly or indirectly exercised by the people, then such a political system is called a democracy. That is, it is a system in which the sovereignty of the state originates from the people and is transferred to the representatives of the people who vote in elections. People's representatives have to run the administration according to the referendum. In a democratic system, the people are the rulers and the ruled.

Democracy has four pillars namely equality, liberty, fraternity and media. Here every citizen has the right and freedom to have his own life and feelings. Equal social, economic and political justice is available to all without discrimination of caste, religion, sex, class, race, language, tradition and practices. The motto "I am like all, others like me"² is the lifeblood of democracy. Democracy is a good government. It requires personality development of the individual. It provides a great platform for a person to unleash his talents and abilities. In a democratic system people get social, economic and political education so they have opportunities to think and think about community welfare and development.

Good government is not run by many people. It should be able to influence people's minds. Discretion and virtue should be cultivated in people. Physical and intellectual level of people should be improved. This means that people should be provided with the basic facilities required to carry their minimum standard of living. There should be freedom to express regarding on their wants and needs. On these grounds, democracy is a better form of government than all other forms of political system. J. S. Mills said that, hence political parties are an integral part of a democratic political system.³

Democracy has its own unique characteristics. They are:

1. Equality and Liberty
2. Rule of law.
3. Decentralization of power.
4. Public participation
5. Decision by discussion: ie,
 - a. Ability to interpret,
 - b. Appreciation and patience for different interests and opinions,
 - c. Trust and faith of others and
 - d. Support free from fear and favour.
6. Government of Parties.
7. Speaker should not be a party member.
8. Holding referendums by representatives of the people.
9. Strong Opposition
10. Importance of Freedom of Speech or Dissent to Opposition Parties.
11. Method of exposing administrative errors.

Democracy exists on the principles of decentralization and people's participation. Power should not be stagnant in a democratic system. It should be a flowing like a river. Elections are vital for decentralization and people's participation, elections should be held from time to time. Government and

people's representatives should change. The power of the state should not be concentrated in one party or one person. Government or power should be changed peacefully according to mandate through elections.

India has a parliamentary democracy. Parliamentary democracy is a government of parties. Elections in a democracy mean a change of government. Political parties play an important role in a democracy. Democracy and political parties go hand in hand. Democracy cannot succeed without the political parties. Lord Brace said that, no one has shown how democracy can be successful without political parties.⁴ There is no democracy without political parties and no political parties without elections. If democracy is a chariot, political parties are the wheels of the chariot and elections are the pullers of the chariot.⁵ While political parties are the backbone of a democratic system, elections are the lifeblood of political parties. If democracy without political parties like a boat without boat man and political parties without elections can be described as boats separated from the water.

Elections play an important role in involving people in political processes, formulating mandates and changing government. Elections change the social, economic and political conditions of a country. Elections establish a link between the government and the people.

Elections mainly have the following objectives. They are;

1. Electing representatives.
2. To give political education and awareness among the people.
3. Providing information about government schemes and programmes.
4. Establishing linkages between people and governments and between people and political parties.
5. Peaceful change of government.

There are two arguments about political institutions. According to one argument, political institutions are naturally evolved institutions. These cannot be modified by human reasoning and research qualities. According to the second argument, political institutions are man-made. Human thinking and reasoning can change or improve.⁶ A pioneer of representative democracy, J. S. Mill supports this second argument.

Real, pure and transparent elections are essential for the success, functioning, political stability and credibility of parliamentary democracy. It is said that in a democracy, the voice of the citizens is the voice of God. But people need real awareness and education about the nation's politics, governance system, political party, behaviour of politicians and elections. In the first general election of 1952, the literacy rate was only 4%. Three-fourth of the people in the country did not know about things like voting, ballot paper. Thus, during the first election, a separate ballot box was placed for each candidate in the polling booth and the symbols of the respective candidates were affixed.⁷ These ballot boxes were worshiped with turmeric and saffron. Even today such cultivations are found in some places. Invalid votes are found in the presidential election today.

According to Thomas Hobbes and Machiavelli, human beings are selfish, greedy, cruel, quarrelsome. They said that man is not good, he can do all kinds of bad things for his selfishness.⁸ As proof of this, today's people's representatives and politicians have corrupted the people for their desire for power and are doing so. They distribute money, alcohol and other material things to people during elections. People fall for this. "Criminals are not born they are made"⁹ complements Rousseau's statement that today those who are not born make bad politicians. The masses have forgotten the importance of voting. He is asking for a note for money. Not a race for good governance! Instead there is a vote for the money. The Constitution gave the right to vote so that the people could live like kings. But people are forgetting the importance of voting and are becoming slaves. Earlier it was said "Such a king as such a citizen" (Yatha Raja Tatha Praje). Today it is said "Such a citizen as such a king" (Yatha Praje Tatha Raja). During the 2018 States Assembly Election 26,000 people violated the election code of conduct in Karnataka, Madhya Pradesh, Rajasthan, Telangana, Mizoram and Chhattisgarh. Thus the Election Commission has introduced and is introducing several reforms step by step to prevent irregularities in elections. J. S. Mill's opinion that, election reforms are necessary in representative democracy.

The Election Commission, a constitutional body, has implemented a number of reforms since the day the constitutional regime came into force till now to bring the democratic government back on track when it has gone off the rails. They are:

1. The voting age limit was reduced from 21 to 18 by the 61st Amendment in 1989.
2. Three months imprisonment and fine for rioting during elections.
3. Six months to two years of imprisonment and fine for those who capture the polling booth.
4. Those who create discord between races on the basis of caste, religion, birth, gender, language have been banned from contesting elections for the next six years.
5. Those who vote in the name of someone else and are influenced to vote are banned from contesting the elections for the next 6 years.
6. Those who follow and support untouchability, those involved in smuggling, those involved in subversive activities of the country, are banned from contesting elections for the next six years under the Foreign Exchange Act and the Prohibition of Subversion Act.
7. Political parties must be registered with the Election Commission and only those political parties that believe in the aspirations of the Constitution such as socialism, secularism and democracy will be registered.
8. One voter for the nomination of candidates of national and regional parties and 10 voters for the nomination of independent candidates.
9. Candidates while filing election nomination papers (since 2004) Their property and other details should be submitted through an affidavit.
10. The amount of deposit (from Rs. 500 to Rs. 10,000 for Lok Sabha and from Rs. 250 to Rs. 5000 for Assembly) has been increased for candidates contesting elections.
11. Election observers are appointed to prevent black money (corruption, bribery and malpractice) in elections and check stations are established on the outskirts of access roads of cities, towns and villages. Here, C.C. cameras are installed.
12. Allowed postal voting in elections.
13. Employees working in any profession, trade, industry and government employees are given leave with pay on election day.
14. Since 1993, identity cards have been issued to voters.
15. Photo of voter is printed along with name of voter in voter list.
16. Since 1998, electronic voting machines are gradually being used instead of ballot papers in elections.
17. The 2019 Lok Sabha election expenditure limit has been fixed at 70 lakhs.
17. It has fixed the rate of various materials and advertisements to be used by the candidates during the election.
18. Candidates shall obtain permission from the Commission before printing pamphlets, banners, posters, flags, buntings and using public places for election campaign.
19. The commission said that, candidates cannot use caste, religion, religious sites during election. Eg: In 2019 elections, political parties and candidates cannot use Pulwama incident, air strike on Balakota, military uniforms and weapons and Shabari Malai incident.
20. In the 2019 Lok Sabha Elections, the candidate's photograph will be printed along with the symbol of the political parties in the nomination paper.
21. Candidates seeking candidature should advertise in daily newspapers about criminal cases against them.

CONCLUSION: ESSENTIAL REFORMS

1. Equal reservation for Women

Equal (50 percent) representation (reservation) should be given to women in Parliament and State Assemblies In the 2019 Lok Sabha elections, West Bengal's Trinamool Congress leader Mamata Banerjee announced 41 percent seats and Odisha Biju Janata Dal Chief Minister Naveen Patnaik 33 percent seats reservation for women. Today, women's were not got their due representation in Parliament and State Legislature.

2. End to Family Politics

If decentralization and people's participation are to be meaningful, family politics must be end. This means that the Representation of the People Act should be amended so that more than one person related by blood or matrimonial alliance cannot contest elections.

3. Elected for two terms

The Representation of the People Act should be amended so that a citizen cannot be elected for more than two terms to each level of the Legislature.

4. Amendment to Prohibition of Defection Act

If a candidate wins an election on a party's symbol and defectes out of self-interest and lust for power, the candidate loses membership of the Legislative Assembly from which he was elected as per the Prohibition of Defection Act, 1985 and 2003. A by-election will have to be held for that seat again. This will increase the financial burden on the people of the state. Also, the candidate will not direct the mandate for his own selfishness. Therefore, the Defection Prohibition Act should be amended to ban defection candidates from contesting any election for the next six years.

5. Legal force of NOTA system

If there is no worthy/suitable candidate among the candidates contested in the election, then the voter will nota the opportunity to vote for this 'None of the above'. If, in the total votes cast in the election, the NOTA votes are more than the votes obtained by the contested candidates, there will be no effect or change. Out of the total number of votes cast, excluding nota votes, the candidate who gets the highest number of votes is declared as the elected representative. There is no respect/meaning/value for the mandate by this NOTA system. If, in the election, the NOTA votes are more than half, considering that the mandate is not clear, the election should be held again in the respective constituency. Candidates who have already contested should be banned from contesting this election.

6. Election expenditure and campaign

As per the recommendations of the Wanchu and Tarkunde Committees (1997-98), the government should campaign on behalf of political parties or candidates in elections and the government should bear the election expenses.

7. Curb on abnormal growth of assets

Abnormal growth of assets of representatives and politicians should be curbed.

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