

The Fallacy of Democracy in Action: A Critique of Clean Election Campaign in Nagaland

Abstract

Elections in Nagaland are plagued by rampant proxy voting, bribery, assertion of authority by clans and villages. Proxy voting is possible due to multiple entries in the electoral roll. Steps have been taken by state election commission for purification of electoral roll. In the recently concluded election many voluntary organisations, including the influential Nagaland Baptist Church Council (NBCC) had vigorously campaigned for clean election. However, the result is dismal and far from satisfactory. This is due to the polythetic nature of Naga society where competing clans, villages and tribes try to elect their supposedly consensus candidates by all means.

Keywords: Clean Election Campaign, Multiple Entries of Voters, Proxy Voting, Clan, Village Council, Insurgency.

Introduction

Democracy is a very attractive word, though the interpretation of it has caused much consternation. Rulers of all hues and colours prefer to embrace democracy as the basis of their authority. Democracy is one of the most sought after ideology because it believes in the rational attribute of human being. In spite of their differences in sex, colour, race, religion etc., it believes that human beings are equal in terms of reason. It also believes that only democratic system of government allows all section of people to participate in the process of government formation, and therefore the people are the ultimate ruler; that the inherent right to govern rests with the people. In short, only under democracy can human rights has greater chance of its realisation.

India adopted democracy as the form of government in spite of her mostly authoritarian system throughout the historical experiences. The Vedic period India believed in divine origin of a ruler, the Mughal period practiced monarchical system. A semblance of democracy started to appear only at the dawn of the British rule.

Like many other concepts, the idea of democracy was accepted as the gospel truth, and enshrined in the preamble of the constitution of independent India. India adopted the system of First-Past-The-Post system of election, though it is argued that this system of representation systematically diminish the value of certain votes in certain constituencies and can produce 'unrepresentative' legislatures and unaccountable governments, this is a topic for another discussion¹. The problem however is, even after of 70 years independence, elections in India are still marred with violence, money power, and parochial issues.

The present state of Nagaland was formed in 1963 curving out from the state of Assam. The state is small in terms of geographical area and population². Because of its turbulent history due to insurgency led by the nationalist section demanding for a complete Independence, Nagaland did not participate in the Indian elections till 1964. Nagaland experienced her first Legislative election only in 1964. From the first Assembly election till now, the state had problems conducting smooth elections, as the nationalist groups still boycott Indian imposed elections. In spite of all these problems, elections were conducted, and legislative assemblies constituted without much interruption. However, most of these elections were marred by rampant use of money, violence, threat, and bogus voting. Elections have become festivals in Nagaland. Voters wait for elections to indulge in election feasts, substance abuse, and to earn money by selling their votes. It is also characterised by threats and intimidations from clans and villages. Observing Nagaland elections, Achumi remarked that the practice of democracy in Nagaland is a complete distortion of Abraham Lincoln's



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definition of democracy which is "by the people, for the people and of the people". According to him democracy in Nagaland has become "buy the people, fool the people and off the people"³.

There have been talks of cleansing the electoral system in Nagaland for quite some time by sections of civil society and the election department of the state. The influential church organisation of the state, namely, the NBCC, started "Clean Election Campaign (CEC)" in 2011. It was tested in 2013 assembly election without much success. However the campaign was continued. In the recently concluded election to 13th Legislative Assembly held in February 2018, NBCC's CEC found support from other voluntary organisations such as the Against Corruption and Unabated Taxation (ACAUT) and the state election department. Through the initiative of the NBCC, on 22nd June, 2017, seven political parties including the Congress, BJP, NPF, JU(U) and APP signed 18 point agreement for clean election.⁵ However, this campaign failed to realise the objective. The recent failure of clean election campaign is only an indicator of how well-entrenched the electoral malpractices are in the psyche of the voters in Nagaland.

Objective of the study

Periodic election is considered important criteria to fulfil the democratic norm. This is in order to avoid rulers holding on to power for unusually longer periods at the expense of the people's wish. However it becomes ritualistic if the goal is only for a successful conduct of periodic elections. It does not achieve the most important objective, which is to vote out the corrupt and inefficient representative or ruler. Therefore the higher number of elections conducted in the state does not necessarily indicates the corresponding replacement of corrupt and inefficient leaders; rather it has only accentuated the level of corruption and malpractices in the state.

The objective of this paper is to critically evaluate the election exercise in Nagaland. This is essential because in spite of the successful conduct of legislative election in the state for thirteen times consecutively, it has failed to address the issue of election malpractices. Politics in the state is degenerating. Therefore the paper aims to revitalise the issue of CEC by incisively analysing the issue of proxy voting, bribing, clan and village dicta, violence etc.

The current paper confined the discussion on the recent election to 13th Legislative Assembly held in February 2018. This is because unlike previous elections, in the recently concluded election there was vigorous effort and participation from many sections, apart from the government institutions, to eradicate the malpractices and make the election genuine in the state. This paper also focussed its analysis on the state assembly election alone, and deliberately avoided the parliamentary elections for the simple reason that Nagaland has only one elected member in the Lok Sabha, and experience shows that a candidate belonging to a party, other than the party in power in the state hardly gets elected.

Review of Literature

Clean election campaign aims to create an atmosphere of free and fair election so that the voters are not easily swayed by lure of money from the politicians and other election malpractices. It is an effort to safeguard and nurture democracy by educating the voters about issues of corruption and inviting all to pledge to refuse to participate in bribery or violence. The main purpose of CEC is to check corruption. As Lord Acton, a British historian used to say "Power tends to corrupt. Absolute power corrupts absolutely". Therefore it is essential to check "whether the holding of periodic, genuine elections, with universal, equal, and secret suffrage takes place within the framework of the necessary guarantees so that the results represent the popular will, including the possibility that the voters could, if necessary, effectively take appeal of an electoral process that they consider fraudulent, defective, and irregular or that ignores the right to access, under general conditions of equality, to the public functions of their country"⁶. These criteria are internationally accepted, and therefore, from time to time International observers are put in place to apply these criteria. Though the international community does not impose or prescribe any particular electoral system as applicable to all the countries, it advocates that "any system operating in a State party must be compatible with the rights protected by Article 25 of the International Covenant on Civil and Political Right (ICCPR) and must guarantee and give effect to the free expression of the will of the electors. The principle of one person, one vote must apply, and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another".⁷

In Nagaland the principle of one person one vote seems to be a distant dream as a single person can vote multiple times on the polling day. Apart from the failure of the polling officials to strictly adhere to the principle of one person, one vote; proxy voting is possible due to multiple entries in the electoral roll. The issue of multiple entries is politicised by the villagers themselves making it difficult to detect.⁸

Another threatening feature of Nagaland election is the widespread prevalence of violence. Election related violence in Nagaland occurs in different forms, such as assassination bid against contesting candidates, physical assault against an individual(s) or groups going contrary to clan and village decisions, etc. In this election there were reports of assassination attempt against candidates⁹, and violence against an individual including women. It is already seen that Nagaland election is characterised by the undue interference of the clan and village authority to force their clan and village members to support and vote for their supposedly consensus candidate. This has strictly limited the individual's liberty to exercise their franchise freely and fairly¹⁰. In order to discourage such practices, in the recently concluded election, popular local dallies of the state openly notified that they will not publish villages declaring their support for any particular candidate. It said thus, "To demonstrate our collective

endeavour we have agreed to stop publishing any news and advertisement issued by village council or any other non-political organisation that endorses one particular candidate or any other statement that opposes the fundamental principles of clean election".¹¹ State chief electoral officer also issued a strong warning in this regard against those village councils that pass resolution in support of some candidates and that even candidates being favoured through such resolutions would also be held accountable¹². Following this instruction many Deputy Commissioners and SPs of the districts issued strict order to the village councils against declaring support of a particular candidate en block. In spite of these an open endorsement by village councils went unabated.

Another problem of clean election is the lure of money. Various agencies have advocated and checked the buying of votes. However, the unofficial account of the candidates indicate that there was rampant buying and selling of votes. No candidate is absolved from this practice. This problem, according to Rhakho, lies with the mindset of the people. Unless the mindset of the people is changed, unless the illiterate people are educated about the evils and consequence of selling vote, it is difficult to stop the lure of money. And this change of mindset should start from self.¹³

It is true that the solution to all these electoral malpractices lies not in one but reforming a whole gamut of electoral processes. It requires a holistic approach that encompasses educating the voters¹⁴, electoral roll purification¹⁵, strict implementation of model code of conduct etc. It should be a community effort and not dependant solely on the institutional reform of the state.

Hypothesis

In spite of the strong initiative taken by the NBCC and other voluntary organisations, the clean election campaign failed to take off in Nagaland legislative election due to the parochial influence of clan, village, and tribe, along with money power.

Research Design

The paper follows a "mixed method design". It encompasses both quantitative and qualitative methods. This is essential because study of a society like this where parochial elements play a major influence on the behaviour of the people requires a qualitative descriptive method along with other methods. The quantitative aspect is introduced so that the problem in question is approached with precision focus. The method of quantification is through random sampling to avoid biasness to a greatest extent possible.

Taking the 2018 legislative assembly election as the sample; a survey was conducted through interview (both telephonic and personal discussion and questionnaire). A random survey of three polling stations each in 15 constituencies covering at least two constituencies in four districts out of the 11 districts in the state (See Table 1) with three respondents each from each polling station was conducted in the post-election/voting. The data collected is then explained in the context of the peculiar Naga social and cultural setting. The Naga society being a tribal society, the traditional way of life still governs a range of Naga lives. The adoption of modern democratic process still finds it difficult to penetrate the well entrenched polythetic Naga society. Therefore prior understanding of the social context becomes a necessary to explain any phenomenon. The article took account of this aspect while interpreting the data.

Table-2

Sl. No	A.C. No. *	P.S. No. **	Voted Multiple times (Yes/No)***	Q1. Whether money used to purchase vote by candidate?	Q2. Whether violence, intimidation, threats existed?	Q3. Whether clan, village, tribe forced decision?	Q4. Whether clean election campaign had impact?
1	1 DMP	1	Y(2),N(1)	Y3	Y(1), N(2)	Y(1), N(2)	Y(1), N(2)
		10	Y(1), N(2)	Y3	Y(1), N(2)	Y(1), N(2)	Y(1), N(2)
		22	Y(2),N(1)	Y3	Y(1), N(2)	Y(1), N(2)	Y(1), N(2)
2	4 GPN	50	Y(2),N(1)	Y3	Y(1), N(2)	Y(2),N(1)	Y(1), N(2)
		80	Y3	Y3	Y(1), N(2)	Y(2),N(1)	Y(1), N(2)
		82	Y(1), N(2)	Y3	Y(1), N(2)	Y(2),N(1)	Y(1), N(2)
3	11 NA-II	11	Y(3)	Y3	N3	N3	Y(2),N(1)
		13	Y(3)	Y3	N3	N3	Y(2),N(1)
		30	Y(2),N(1)	Y3	N3	N3	Y(2),N(1)
4	15 SA-II	1	Y(2),N(1)	Y3	N3	N3	Y(2),N(1)
		3	Y(2),N(1)	Y3	N3	N3	Y(2),N(1)
		7	Y(2),N(1)	Y3	N3	N3	Y(2),N(1)
5	25 MYA	1	Y(3)	Y3	Y(1), N(2)	Y3	Y(1), N(2)
		2	Y(3)	Y3	Y(1), N(2)	Y3	Y(2),N(1)
		9	Y(3)	Y3	Y(1), N(2)	Y3	Y(1), N(2)
6	27 MKG	1	Y(2),N(1)	Y3	Y(1), N(2)	Y3	Y(2),N(1)
		4	Y(1), N(2)	Y3	Y(1), N(2)	Y3	Y(2),N(1)

		8	Y(2),N(1)	Y3	Y(1), N(2)	Y3	Y(1), N(2)
7	28 KDG	3	Y(3)	Y3	Y3	Y3	Y(1), N(2)
		7	Y(2),N(1)	Y3	Y3	Y3	Y(2),N(1)
		21	Y(3)	Y3	Y(1), N(2)	Y3	Y(1), N(2)
8	37 TYI	17	Y(3)	Y3	Y3	Y3	Y(1), N(2)
		18	Y(3)	Y3	Y3	Y3	Y(1), N(2)
		24	Y(3)	Y3	Y3	Y3	Y(1), N(2)
9	38 WKA	8	Y(2),N(1)	Y3	Y3	Y3	Y(1), N(2)
		11	Y(1), N(2)	Y3	Y3	Y3	Y(1), N(2)
		28	Y(2),N(1)	Y3	Y3	Y3	Y(2),N(1)
10	40 BRI	40	Y(2),N(1)	Y3	Y3	Y3	Y(1), N(2)
		60	Y(3)	Y3	Y3	Y3	Y(1), N(2)
		76	Y(2),N(1)	Y3	Y3	Y3	Y(1), N(2)

*Assembly Constituency number. ** Polling station number¹⁶. ***Numbers in the bracket of Y and N indicate number of Ayes and nos.

From a total number of 90 respondents interviewed, the Gender and age composition are as follows:

Table- 2

Gender		Age Group		
Male	Female	18-25 years	25-45	45 and above
50	40	12	47	21

Research Findings

- On the question of whether the voters have voted multiple times, a total number of 68 respondents replied in affirmative. 68 out of 90 respondents show that 76 per cent voted multiple times, and therefore only 24 per cent exercised their franchise fairly. Some have even declared to have voted for more than five times.
- On the question of whether Money was used to purchase votes by candidates, it was unanimously agreed that the candidates used money to purchased votes. Though some honestly declared that they have received money from a candidate, almost half of the respondents replied that they have not taken any money from any candidates, though they stated that they are aware of some friends taking money from the candidates. The rate per vote depends on candidate to candidate. Some candidate gave five thousand rupees for one vote, while some have purchased vote @ten thousand rupees per voter. It is revealed by the voters that in some constituency some candidate even gave one lakh rupees to families consisting of five voters. These are the amount spent by the candidates prior to the polling day. In addition, in many of the polling stations, it is revealed that the candidate's agents gave money on the spot for those who went for proxy voting. The rate ranged from rupees two thousand to ten thousand per proxy vote.
- Though some of the respondents admitted not to have taken money from any candidate, they also admitted that they have voted multiple times. The justification is that they have voted for the whole family. The male members voting for all the male members of the family and female member voting for all the female members of the family. They also justified that unless they vote for all the family member, their family members who could not come home for voting will become a proxy vote and will be shared by the candidates or by those who are in majority, basically through booth capturing.
- The question of election related violence was also asked. Under this, questions were asked whether there was any kind of violence, ranging from threat and intimidation, kidnapping to physical assault. Except for two constituencies, all the other constituencies experienced some kind of violence. Threat, intimidation and violence come from different corners depending on the area and locality. While under some polling stations, clan members decided to support a particular candidate, therefore all the clan members were demanded to vote for only that particular candidate. Those clan members who do not comply with the directive of the clan were threatened, and in some cases forced not to expect any help from the clan in the future. The level of threat and violence was particularly high in villages where there were contestants from that village or range. Violence took place in the form of threat to the opponents, vandalising their properties, sometimes physically assaulting the opponents. News of burnt houses and vehicles in many areas were also reported in the local dailies during this elections¹⁷.
- On the question of whether CEC had any impact in the village, majority of the respondents replied in negative. However some respondents admitted that CEC did have an impact, although in a lesser scale. There are families who had taken the campaign seriously and shun the unethical activities involved in the election. Those who exercised restrain are mostly an active member of the church, such as the pastor, deacon etc. These people hoisted a white flag in their houses to express their commitment not to allow any house to house campaign by the candidates and rejected the lure of money and violence.

Research Analysis

Elections in Nagaland are plagued by rampant maladies. Efforts to cleanse these malpractices failed due to the following reasons. *First* is the problem of insurgency. The wave of nationalism is still strong in Nagaland. There are many nationalist groups propagating independent state for the Nagas. These groups still consider election as imposed by external forces, in this case, India. They have been advocating for boycott of Indian imposed elections¹⁷. From the first assembly election in 1964, they have discouraged the people from participating in the Indian imposed. Even in the recently concluded election the voice for boycotting the election was strongly advocated. This has led to uncertainty of holding the assembly election for quite some time. Even the political parties were in a beleaguered position. Initially, when the Election Commission of India announced the assembly election all the major political parties including the Congress, Naga People's Front, and the BJP decided not to file nomination¹⁸. Only when the central command of the BJP insisted on participating in the election, the state BJP started to file nomination. This has opened the way for the other political parties to file nomination. Fortunately, nothing unpleasant situation occurred at least from the armed nationalist groups this time round. However, such fractured public opinion on supposedly Indian imposed election only contributes to diminish legitimacy of the elected members. On the other hand, politician-insurgents nexus is also apparent. In spite of the official proclamation for boycott of election, in every election, armed member(s) of the nationalist groups are usually hired by the candidates and used as a force to intimidate voters, and sometimes capture polling booths for their candidates.

Secondly, Nagaland election is a game rich people play. Only moneyed section of the society dares to contest election. Capable candidate/contestant without money will only get people's sympathy but not vote. That is the reason why mostly retired bureaucrats and contractors are getting elected, and hardly few social workers and academicians. There is a general believe that the bureaucrats know the nitty-gritty of the office procedures, schemes and also know how to bend rules and siphon off the funds. There is also a believe that these bureaucrats while in power have amassed wealth meant for the welfare of the people; therefore election is a payback time for them. There seems to be no remorse in taking money from such candidates for vote. Moreover, they are aware that if they are elected these leaders are not going to fulfil any commitments so voters take advantage of the election and demand money for votes. However, this has a vicious cycle effect. Once elected, the MLAs start looking out to recover their election expenses by siphoning off welfare schemes, including the Local Area Development Programme (LADP). They not only recover their previous election expenses, but astutely accumulate reserves for the next election.

Thirdly, Naga society is a tribal society with mostly parochial outlook. Factors such as clan, village

and tribe still play a big role in Naga politics. In a bigger town such as Dimapur, tribe factor plays a prominent role whereby particular tribes will vote almost en block to his tribesman. If they are from the same tribe in the same constituency, then clan and village factors come to play. Likewise, in some tribe, when there is only one potential candidate from a particular clan, clan members will vow their support to their clansman. In some tribe, village solidarity takes precedent over clan. Here, if a particular village has a lone potential candidate, the village, including the village council will pledge support to their village candidate. Other candidates are not even allowed to campaign sometimes.

Finally, but most importantly, the problem of multiple entries in the electoral roll is one of the main reasons for the failure of clean election campaign in the state. The administrative structure is organised in such a way that almost all the tribes have a district headquarters of their own. It looks like a tribal organisation of districts in the state. Except for the Dimapur district, which is a cosmopolitan district by Naga standard, all the other districts are exclusively inhabited by one tribe in each district, if not dominantly inhabited by a particular tribe. In such an administrative arrangement, the district headquarters seems to be the only semi-urban area where all the other villages in the district throng into. In such a situation a permanent resident of a village will enrol in the electoral roll in the village, at the same time, the same person will also enrol in the district headquarter where he owns a house or is a temporary resident. Sometimes if a person is a government servant and posted in other district, other than his home district, that person is again enrolled in his place of posting. This led to multiple entries in the electoral roll. Similar thing happened in the population census conducted by the government of India. For example, in the 2001 decennial population census, many villages inflated their population census for fear of losing preponderance over their neighbouring villages and tribes. Because of the inflated population when the next census was conducted in 2011, Nagaland showed a population reduction, with a negative growth rate of -0.58.¹⁹ The result of multiple entries in the electorate roll is the root cause of electoral malpractices in the state. Because when there is ghost voters enrolled in the electoral roll, it becomes very tempting for the candidates. Given the nature of polythetic parochialism, a village with majority support of a particular candidate take all the proxy votes and get elected. Sometimes when the village is divided into an equal number of supporters, there is usually an understanding between them to divide the proxy votes in equal share. Sensing this as a major obstacle in the CEC, the state election commission, NBCC, and other voluntary organisations have strongly advocated for purification of electoral roll. However success in this regard is still yet to be realised.

Conclusion

Under such circumstances the CEC becomes a herculean task in the case of Nagaland. Therefore the government needs to take a multi-pronged strategy to combat these problems. *Firstly*,

the government should continue to collaborate with the voluntary organisations for educating and cleansing the electoral malpractices. The practice of the state election commission in the recently concluded election by roping in various civil society organisations to sensitise the voters on various election rules, equipments, and procedures, sensitising on the issues of booth capturing, violence, bribery and proxy voting is a welcome initiative. *Secondly*, polling officials on election duty should be strictly instructed to take a firm decision and stand by the rules. In the recently concluded election, in spite of the use of live webcasting things have not changed. This is due to the apathetic attitude on the part of some polling officials. The need of the hour is, therefore to encourage the polling officials on election duty to perform their duties without any fear of favour. For this there should be a good co-ordination with the administrative and the law enforcement agencies. The security of the polling official should be paramount so that no threats and intimidation shall come in the way of the performance. There can be also an exchange of polling officials in the adjoining districts so that the polling officials are not politicised. Because, given the nature of Naga society whereby a particular tribe owns a particular district, the officials are directly or indirectly affected by the environment. Though this may sound difficult due to additional financial and logistics arrangements, this will play a deterrent effect to the voters, and minimise the proxy voting. *Finally*, solution to the Naga political problem is imperative to achieve CEC because as long as nationalist groups exist it delegitimises the elections conducted by the Indian government; hence the whole hearted participation of the people in electioneering process is contested and put in to question. At the same time, taking advantage of such precarious situation some undisciplined cadres become easy prey to vested interest candidates. These only vitiate the election atmosphere as threat and violence become the order of the day. Therefore CEC is also intrinsically linked to the solution of the Naga political problem.

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Footnotes

1. Goodwin-gill (2006: 56)
2. Directorate of Economics and Statistics (2015: 2)
3. Nagaland Post, 16-12-2013.
4. The signatories agreed not to buy votes with money; insist clan, khel, village and family to declare support for a particular candidate; not provide feasting, picnic etc.; not to use underground etc. See Nagaland Post, 22-06-2017.
5. Op.cit. Goodwill-gill 68
6. Ibid 56
7. See Wouters, Jelle (2015:135)
8. See Indian Express, 17-02-2018; Eastern Mirror, 18-02-2018.
9. Many cases of election related violence were reported in many parts of the state. In one incident, three women were brutally assaulted by village youth for going against the wishes of the village and supporting a candidate contrary to the village's choice. See Nagaland Post, 18-02-2018. Nagaland Post, 19-02-2018.
10. See Jamir, Moa (2016: n.p.)
11. The Naga Republic News, 26-02-2018
12. The Morung Express, 17-01-2017
13. The Independent Commission Against Corruption (ICAC) suggested that clean election campaign should be imparted from young age, even before

they are eligible for voting. While experimenting with the secondary students as the target group, it came up with a conclusion to “encourage students to uphold fairness and justice in their daily lives”.

14. *Voter purification should be done so that genuine voters are not disenfranchised. It should avoid what Schaffer called legal disenfranchisement, administrative exclusion and partisan demobilisation. Schaffer (2005:1).*
15. *CEO Nagaland Official Portal*
16. *Op.cit. UNI*
17. *The Morung Express, 31-01-2018*
18. *The Morung Express, 30-01-2018*
19. *Op.cit. Directorate of Economics and Statistics (2015: 28)*