Elections & Human Rights in India and Mauritius: Micro Analysis Through Electoral Integrity

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Success of the democracy largely depends on the level of electoral integrity. In this paper, the core notion of “electoral integrity” refers to agreed international principles and standards of elections, applying universally to all countries worldwide throughout the electoral cycle, including during the pre and post-electoral period. As such, a quantitative and empirical method is employed to insight the quantum of electoral integrity of India and Mauritius where they respect human rights for real democratization. Main focus of the paper is to highlight the success and failure of democracy and how the two countries (India and Mauritius) respect human right but the yardstick of study is based on electoral integrity.

Keywords: intimidation, dole for vote, electoral integrity, human rights

Introduction

Voting is one important form of political participation through which citizen can influence the behavior of political leaders. Holding periodic elections may give the system of governance in a country the veneer of being a democracy but whether a society is really a democracy or not is determined by how good and how effective the electoral system is. Election is the pivotal ingredient to the democratic process which allows various political actors to compete over choices and issues. So, success of the democracy largely depends on the level of electoral system and its participation (Lijphart, 1999). In new democracies—located in countries that have recently introduced or restored a semblance of political rights and candidate competition—ordinary people enjoy unprecedented opportunities to vote for preferred leaders (Bratton, Chu, & Lagos). The goal of elections is to have an open competitive to the eligible citizens, aspirant candidates and electorates to exercise their rights for installing a government for the people. If the result of the elections can't reflect accurately the will of the electorates, the process and the outcome will demean democracy. Elections are generally demanding and require a multitude of actors and institutions whose intervention is critical to the holding of a credible election (Thanikodi, 2003, p. 12). There is also the need for a clear legal and institutional foundation which establishes the scope and nature of participation, election administration and oversight (Thanikodi, 2003, p. 12). Electioneering laws and relevant acts are mostly in all the democratic countries, in order to provide free and fair elections. For this, certain acceptable elements are needed, that includes electoral framework, independent electoral management body, acceptable code of conduct, and mechanism to feel all the participants confident or accountability, but all these elements should incorporate human rights elements to get respect of natural rights and freedom.

Perspective: Election Incorporating Human Rights

The creation of public opinion or the will of the people depends on the equal influence of everybody or, in other words, on the equal ability to convince, and this equal ability requires equal human rights. Since the representation principle is not a democratic one per se, it gains its democratic character only through the specific selection of the representatives of the people. This is done through elections, and elections are democratic only if the voter has alternatives, if all citizens who wish to take part can indeed do so, and if every vote has equal weight (Fuchs, 2007, p. 30). The exercise of right to vote adds to the individual's self-respect, dignity, sense of responsibility, political and civic education. These criteria are met in liberal democracy by the institution of periodic and competitive elections, generally implemented by the constitution. People are called political sovereign because they possess the right to vote a government into power, or to vote a government out of power. In the words of Sartori (1987): "Since in order to have democracy we must have, to some degree, a government of the people, let us immediately ask: When do we find a 'governing people', the demos in the act of the role of governing? The answer is: at elections". If the representative of the people acts against the will of the people, it will not make the sense of elections. It must therefore be ensured with the institution of elections that representatives rule in accordance with the will of the people which is a vital character of democratization. Thomas and Dieter argued that "if, after election, these representatives were willing and able to govern only according to their own wishes without any regard for the demos, the idea of government by the people would be completely devoid of sense" (Zittel & Fuchs, 2007).

According to the theory of liberal democracy, responsiveness is to be structurally generated through the periodicity of elections and the possibility of a change in government. The prospect of the next elections obliges the rulers to take heed of the opinion of the demos in their own interest (Zittel & Fuchs, 2007). The type of participation in government partly determines the extent of participation. In modern democracy, there is only indirect participation in government, in which the people elect their representatives to govern through periodic and competitive elections. In the democracy, if the election is unable to be organized in a regular interval, that may not be treated as democracy on the one hand, and violation of political right like electoral rights on the other hand. Since elections do not take place periodically, political participation by citizens in modern democracies can be described as occasional and limited. But participation in elections does not exclude engagement on the part of citizens in political parties and collaboration in civil society voluntary associations (Moeckli, 2007). In fact, however, only tiny minorities are involved. Precisely, this state of affairs together with the declining participation in elections is a big challenge to electoral right in the sense that the incumbent ruling nature can influence electorates in many ways. According to Arend Lijphart, voter participation is an excellent indicator of democratic quality that it will be no wrong to consider the efficiency of electoral system where electoral rights are mainstreaming that all the electorates can exercise confidently and accountably (Lijphart, 1999). Moreover, different form of electoral system may be found in democratic countries where limited options are given to the electorates though it provides equal electoral rights. But the shortcomings of this simple characterization of democracy are easily illustrated and considered as flawed democracy. For instance, if all electorates have an equal vote but only have the option of voting for one political party, we would not want to say that such an arrangement fulfilled the requirements of a true democracy.

Political equality, which underlies our commitment to democracy, is not secured by simply ensuring each person is entitled to an equal vote and that the will of the majority rules (Farrelly, 2004). Such instances are

weakness of electoral system that produces questions of human rights on that particular electoral system and reflected to the democracy. So, the electoral system should also enable to incorporate rights with a meaningful democracy. In this context, Robert Dahl analyzed comprehensively wherein he argued to fulfill some opportunities that must be satisfied include effective participation, equality in voting, and include adult were some of them (Robert, 1998). In the context of human rights, the electoral system must also be care of effective participation not only the policy matter. In many countries, regular elections are being held but the participation rate is very minimal, which is reflective results of the system drawback that couldn't influence electorates.

If the system or the executing mechanism fails to check the malpractices then there will not be effective participation. Perhaps this erosion of democratic vitality is an inevitable result of complexity and size that it is being witnessed in Indian democracy where reformation is very difficult even though electoral system has many deficits. For instance, vote bribing and criminals entrance in the electoral politics is a big issue. Most of the criminal background candidate can get elected and even obtain ministerial berth, as such the reformation in the near on the electoral system is out of expectation. Perhaps we should expect no more than limited popular constraint on the activities of government through regular, weakly competitive elections (Fung & Wright, 2003a). Archon Fung and Erik Olin Wright argued that for bringing real democracy through its electoral system, it has to develop transformative democratic strategies that can advance our traditional values—egalitarian social justice, individual liberty combined with popular control over collective decisions, community and solidarity, and the flourishing of individuals in ways which enable them to realize their potentials (Fung & Wright, 2003b). Equality and free gender-bias must be maintained in electoral system. For instance, women have the same potential for rationality that men have and thus women should enjoy the same rights of citizenship that men enjoy. “Liberal feminists seek to inspire a public philosophy that will liberate women by emphasizing the similarities between men and women” (Farrelly, 2004).

Concept on Electoral Integrity

For conducting free and fair elections, the concerned authority provided does and doesn't in their respective Representation of People Acts and Model Code of Conduct, but many political parties, candidates and connivances have often committed illicit acts on the eve of elections, all these malpractices are against electoral integrity. For instance, different party leaders overtly and covertly made attempt to woo/lure peoples in the name of collective goods or for particular backward community. Electoral integrity, which is understood as shared international principles, values, and standards of democratic elections which apply universally to all countries and which should be reflected at all stages during the *electoral cycle*, including the pre-electoral period, the campaign, polling day and its aftermath (Norris, 2012). The issue of election fraud is found in many developed democratic countries. After the 2004 presidential election, many Democrats went on the warpath over alleged voter fraud and manipulation in Ohio and elsewhere (Bovard, 2005, p. 23). It is also witnessed that ruling party or incumbent government party are often been misused their power. It is generally described the way forward and significance of election, on the other the government described this as a period of democratic consolidation (Diamond, 2002). Besides, it was also witnessed that elections in post communist era had considered more necessary and christening new terminologies in some studies. The “Color revolutions” (Spirova, 2008) refers to call “electoral revolutions” or the final stage of democratic transformation in the post-communist world. In the democracy, if the election is unable to take place in a regular interval to elect representatives of the people it may not be treated as democracy in the real sense. Since elections do not take

place periodically, political participation by citizens in modern democracies can be described as occasional and limited (Moeckli, 2007, p. 112). With this concept of electoral integrity, people's participation should be free from any hindrances in any electioneering activities since its inception till the end of the process. The notion of "electoral integrity" is gaining in popular usage as an all-encompassing way to conceptualize many related problems.¹ Nevertheless this complex idea remains under-theorized and several related notions present alternative ways to frame similar issues, like electoral malpractice, flawed elections, free and fair elections (Elklit & Svensson, 1997). In India's northeast, elections are conducting in the normal schedules with regular interval but the query is that how far the electorates can exercised their franchise with this notion of electoral integrity?

When we look into the matter seriously it is revealed that to maintain uniformity in all the countries, Universal Declaration of Human Rights 1948 supported such electoral rights that all the electorates should have freedom to choose their representatives as well as to be candidature to participate in the governance. Article 21(3) specifies the right to take part in the government through freely chosen representatives; periodic and genuine elections on universal suffrage; and secret vote (Hickok, 1991). This article has intimate relation with the electoral rights where political rights are clearly incorporated within. So, all the citizens who have the eligibility conditions to be candidature have the right to contest election or right to vote. Agreements about the general standards which should govern the conduct of elections are also reflected in International Covenant on Civil and Political Right (ICCPR). There is a broad consensus in principle about many of the basic conditions required to achieve minimal standards of electoral integrity, such as the requirements of an inclusive adult franchise, honest and accurate vote tabulations, and the use of secret ballots/electronic voting machine. Significantly, debate continues about the most appropriate response to combat various issues facing all democratic countries to universalize the concept of electoral integrity. Obstacles like gender equality, equal representation of all communities and minority groups, changing voting technologies with scientific advancement, mode of electoral campaign, paid political news/advertisement, governing political finance etc., are some major tussles on electoral integrity.

Elections should be seen as a sequential process or cycle involving a long series of steps. As the ACE (Administration and Cost of Elections) project suggests, the cycle involves all stages in the process of elections from the design and drafting of legislation, the recruitment and training of electoral staff, electoral planning, voter registration, the registration of political parties, the nomination of parties and candidates, the electoral campaign, polling, counting, the tabulation of results, the declaration of results, the resolution of electoral disputes, reporting, auditing and archiving. The most visible types of corrupt practices involve illegal acts on polling day or immediately afterwards. In fact, problems can occur at any stage in the electoral cycle. As Sarah Birch emphasizes, the more technical and subtle forms of malpractice, through the strategic manipulation of the legal framework governing elections, occur well in advance of polling day, and these may also be the least visible to observers (Birch, 2012; Andrei & Vishny, 1993).

Statement of the Problem

Both the countries, India and Mauritius have many similarities though it has a gulf of differences in the size of populations and territory. In general, it has parliamentary form of government and similar electoral

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¹ For instance, the Global Commission on Elections, Democracy and Security launched by the International Institute for Electoral Assistance (International IDEA) and the Kofi Annan Foundation in March 2011.

system first-past-the-post for national parliament while mix up system accordingly to suit other levels of elections are found like elections of president, local bodies, upper house and regional assemblies. Nevertheless, voting behaviour seems to be very different that electorates of India have been experiencing in the flawed democracy whereas Mauritian electorates have been enjoying democratic reality. In the contemporary electoral trend of India, various activities of human rights violation and violation of electoral rights have appeared and various malpractices have been witnessing. Moreover, such instances are mostly found in the armed conflict states like Jammu Kashmir, and north-eastern regions of India. Theoretically and empirically it can be studied from the human rights perspective that many electoral malpractices and intimidations are closely associated with electoral rights and freedom.

Election is one of the yardsticks to quantify the success and failure of democracy in which regular elections and the freedom to vote are usually taken as the most basic criteria for determining whether a country and its government are democratic or not. Violations of electoral rights in different countries are now becoming a great tussle in developing democratic countries. Different works are found in relating to election study but most of the study ignored the matter of electoral rights which is very vital for the success of democracy in the true sense. Experience in Iran may also be cited as example of human rights discourse in relating to election. Scott Lucas asserted in his article Iran Special: Legal Analysis of Post-Election Violations of Rights (Shadi Sadr) focused to insight electoral trends of Nairobi where electoral rights were endangered (Lucas, 2010). Human Rights Watch was also examined in the article “Burundi: Violence, Rights Violations Mar Elections” and they reported that, (Nairobi)—Increasing human rights violations could undermine Burundi’s electoral process unless the government takes immediate action.² Obviously, elections in hilly regions of Jammu and Kashmir experiencing abnormal electioneering event while India’s northeast, in particular in remote areas of Manipur are seemingly a selection in lieu of elections where many electorates could not enjoy their franchise. Politically or apolitically such electoral rights are often violated in Manipur but most of the people did not claim or considered it seriously. In particular in Manipur, mostly in the hilly areas, such cases have appeared though they did not seek their due rights. For instance, a culture of diktat has been spreading in the hilly region, some organizations have prescribed instruction to “do” or “not to do” to the electorates and candidates. It is in fact, violation of right in the context of free and fair election. Many aspirant candidates cannot declare their candidature without the support of one organization whether it may be from any quarter like civil organization or extra-constitutional bodies. In the absence of their mercy they are likely to be victim of electoral right. It is known to all that elections in the hilly areas were boycotted by Naga and Kuki armed opposition groups (AOGs) before early 1990s. Such as, electoral rights of the people are violated in the hill districts. Human rights violation is a global concern that in different forms of human rights violation and question of human rights have appeared in different countries mainly in developing and under developed countries. For instance, Myanmar, Nepal, Bhutan, Pakistan, Srilanka, Vietnam, Cambodia, South Africa and many more have been facing the issue. Historically, as one of Africa’s long-standing democracies, Mauritius has avoided serious incidences of political violence and intimidation in the run-up to elections (Tshiyoyo, 2005). However, the country had experienced political turbulence and violent protests, resulting in the declaration of a state of emergency from 1972 to 1976 (Tshiyoyo, 2005). In such a way, the present study has made attempt to analyze electoral trend of

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² Human Rights Watch, *Burundi: Violence, Rights violations mar elections*, 1 Jul 2010 ... (Nairobi) - Increasing human rights violations could undermine Burundi’s electoral process unless the government takes immediate action. Retrieved July 13, 2010, from <http://www.hrw.org/en/news/2010/07/01/burundi-violence-rights-violations-mar-elections>

Mauritius from the perspective of human rights vis a vis comparatively examined how far it protects electoral rights and differ from the Indian context.

Hypothesis

On the concerns of human rights on the eve of elections, all the stakeholders respect electoral rights and more care of others' rights. Conflict, violence, threats and intimidation might not appear in the contemporary electoral trends except some minor cases. Rather, criminals have no room on the electoral politics which is a bottleneck issue of India.

Does Mauritius perform more democratic elections, whether more free and fair than the Indian Elections? Does Mauritius electoral trend respect human rights/electoral rights on the eve of elections? Mauritius elections are more free and fair rather than Indian elections.

Aims and Objectives

The present attempts are to search the answer of the research question and to prove the hypothesis along with the primary target consisting of the following objectives: (1) to make a comparative study on electoral trend of India and Mauritius from the human rights perspective; (2) to insight an overview of electoral trends of Mauritius and India with the perspective of electoral integrity; and (3) to explore how far electorates of both the countries have enjoyed or exercised their franchise justifiably, etc..

Research Methods and Design

For more accuracy, quantitative, qualitative, empirical and case study methods are emphasized as primary methods. Sources of data were mainly from structured questionnaire collected from India and Mauritius and it was supported by available literature on the concerned area of study. Besides, data extracted from the electoral management bodies of both the countries in regard to the election results are solely based. Empirical and case study methods were the main basis of analyzing the contemporary trends of elections that were held in the regional assembly elections of Rodrigues in Mauritius and other five state assembly elections in Goa, Manipur, Punjab, Uttar Pradesh and Uttarakhand in India. The aforementioned regional and state assembly elections were held simultaneously during January to early March 2012. For these case studies of regional elections, data and information found in various print and electronic media; webcasted news; interview with key informants; electoral office websites; National Election Watch and Associations for Democratic Reforms, New Delhi; Electoral Institutes for Sustainable Democracy in Africa, South Africa were main sources in addition to other official documents and constitutional provisions. On the other hand, for the analysis of the contemporary electoral trends from the human rights perspective, a descriptive and longitudinal method through SPSS (Statistical Package for Social Sciences) was a core basis for analysis. Besides, empirical methods and unstructured interview with key informants were also used to support the argument.

The main arguments and analysis are in the chapter four. Unit of variation is free and fair, unit of observation is electoral trend and unit of measurement is the degree of differences that appeared on the eve of elections on the context of human rights. Other sources of materials were mainly based on the latest parliament elections in this particular chapter as it has to make a comparative analysis on the national level. It may be noted that latest parliament elections were held in 2009 for India and 2010 for Mauritius. For this purpose, a structured questionnaire containing 15 variables based on the primary objectives were put up, and translated into three main languages which is mainly spoken in both the country like English, Hindi and Creole

(somewhat diverted from French language that is mainly spoken in Mauritius). Targeted population was altogether 4000, out of which 500 from Mauritius and 3,500 from India. Mention may be made that at the time when sample questionnaire was collected during March-May 2012, the regional and state assembly elections of Rodrigues in Mauritius and five states assembly elections in India were just over.

The area of field from where the samples should be collected is fixed accordingly by the co-investigators on convenient sampling method. Method of data collection was based on non-probability sampling through convenient samples. As far as possible, it has targeted to cover all the districts of Mauritius including Rodrigues Island. On the other hand, out of 28 states 20 including one Union Territory were covered from the counterpart country India. Of these states, some selected cluster districts were covered as per convenient of co-investigators and researchers of different concern states. Altogether 21 state co-investigators and 26 researchers were associated from Indian sides while two co-investigators and four researchers were involved from Mauritius.

This analysis attempts to insight the contemporary electoral trends in India and Mauritius, how the elections are conducted in the sense that how far electorates enjoyed their electoral rights, and how far the elections are free and fair with the purview of electoral integrity in these two countries. The analysis is based on the sample collected through structured questionnaire consisting of 15 variables. Altogether there were 3144 respondents out of which 337 from Mauritius and 2807 from India. Out of 3144 respondents, 1823 (58%) were male while 1321 (42%) were female from different age clusters; 1446 (46%) respondents were from 18-30 age cluster; 1222 (39%) respondents were from 31-50 age; 454 (14%) respondents were from 51-70 age clusters while only 22 (1%) from 71-above age. Most of the respondents were graduate and postgraduate; 1395 (44%) undergraduate-graduate and 948 (30%) were postgraduate-above. Besides, respondents who were educated up to primary to secondary certificate were also amongst them as 616 (20%) while 185 (6%) were illiterate. Out of total 2807 samples from India, Andhra Pradesh 157; Arunachal Pradesh 124; Assam 138; Bihar 148; Chhattisgarh 123; Harayana 122; Karnataka 149; Madhya Pradesh 198; Maharastra 130; Manipur 140; Meghalaya 92; Mizoram 113; Nagaland 131; Odisha 148; Poducherry 77; Punjab 143; Tamil Nadu 183; Tripura 122; Uttar Pradesh 215 and West Bengal 154 were represented. District wise sample may be shown in table 4.1a. Out of total 337 samples from Mauritius, Rodrigues 43, and other districts of Mauritius 294 were represented.

Micro Analysis: Dole for Vote and Corruption

Malpractices are very great deal to all the electoral studies, but attempts to find out an acceptable argument is not an easy task that almost all the malpractices are multifaceted and seemingly claimed as acceptable in one or either form. For instance, election code of conduct and other relevant laws of the state are being instructed to maintain certain rules, but candidates and workers have often indulged in illicit activities. As such, dole for vote became a serious issue in elections, whether it may be in different modus operandi like distribution of goods, cash or even promise to gratify particular electorates or family just after election. As both the counterparts giver and taker have involved and liable to punished, the possibility to prove genuinely is very doubtful. But it is clear that more than two-third of candidates have often been attempted to lure electorates by unfair means. On the other hand, majority of electorates were also on the whims in the sense that they have readily accepted the odds. That 96% of electorates were aware of such dole for vote which meant many of them might be one of beneficiary from this malpractice. When it enquires whereabouts the information for dole for vote came in to the electorates, 57% respondents hinted that they got information from the agents/friends while those who said “eye witness” of dole for vote was 19%. Very unexpectedly, information obtained from spouse was very low

with just 3%, despite it claimed 17% from family or relatives.

Thus the analysis confirmed that such malpractices are mainly carried out through election agents/workers. Significantly, how far it can influence the electorates will be very remarkable since 41% respondents positively said it might be influenced something but 13% respondents denied it saying it cannot influence and supported it by 14% respondent that “to whom vote for” was already decided so influence by dole for vote may not be possible. On the other hand, those who got more amount or goods from different candidates might be influenced termed by 26% respondents. In this matter, the conclusion can be drawn as 67% respondents supported the possibility of influence by such odds, so it will be no wrong to argue that dole for vote can influenced to some extent.

Sometimes, threats or intimidations to follow their diktat to the particular candidates or electorates may be found in Indian electoral trends but it is seemingly overestimate to the Mauritians. The crux of this issue in many of us is how it will be possible that elections are confidential. No one has the right to violate such personal secrecy.

Figure 1. Possible influence by dole for vote.

The study found many respondents believed it may be somewhat influence then to decide their votes in the sense that 48% respondents favored on this argument. On the other hand, 28% respondents opined it cannot influence then since voting is confidential, while 11% respondents argued that threat or intimidation can be influenced. Various forms of malpractices are mainly generated from the money factor even muscle power need huge amount that it cannot be seen in the absence of monetary influence. On this state of affairs, big investors are widely manifested as they usually have invested a huge amount of money with full prospect. Besides, two types of electorates often appears on the eve of elections are the one who are ready to invest and the other one ready to collect wasted money. But many of us do not seriously consider it though we often talk to eradicate or eliminate corruption. Indeed, the more money invested in elections would result the more corruption. Logically what they invest capital should be returned with interest is their perception. To return the investment, many illogic and immoral acts will eventually be brought up and directly or indirectly effect the electorates which is boomeranged what they had done on the eve of elections. Shall it be treated as epicenters of corruption, for instance investors, individually or collectively have invested to the prospective parties or candidates; it is open secret that cannot book under a law as it was done through good faith and confidentially.

It cannot guarantee that all the investors may gain or lose as corrupt practices are normally done in the motive of mutual benefit. On the same path, candidates invest huge amount to the electorates through their agents, whether it might be reached or not to the electorate is another matter but the targeted end is to seek vote. It is agreed that on the eve of elections illicit money (black money) has generally flooded and even many of them were also in the net of the authority. Thus, conceptions of the electorates are very different and uncertainty when it is compare to other normal days that both the candidates and electorates are counterparts of mutual benefit which is most vital junction for corruption. In most cases of malpractices or corrupt practices, both the counterparts wanted to hide the events. When 72% respondents agreed that most of the candidates are involved in dole for vote, many of respondents didn't want to say the reality while it inquired to hint out how many of electorates got such mutual benefit that 69% respondent kept mum. It is proved by many respondents that huge investment by well wishers/investors on the eve of elections to the prospective candidates are epicenters of corruption. 66% respondents have agreed the view and willing to support by 19% which meant 85% favored this view. On the other hand, only 10% negated the view while five percent kept mum.

Table 1

Investors make epicenter of corruption on the eve of elections

		Frequency(%)	Percent(%)	Valid Percent(%)	Cumulative Percent(%)
Valid	disagree	310	9.9	9.9	9.9
	agree	2068	65.8	65.8	75.6
	somewhat	595	18.9	18.9	94.6
	no option	171	5.4	5.4	100.0
	Total	3144	100.0	100.0	

Question of Electoral Integrity: Whether Free and Fair

That National Assembly Elections for Mauritius were held during May 2010 while Lok Sabha elections in India were held during February-March 2009. Comparatively both the elections have many differences as previous studies shows that Indian elections were gone with various malpractices which meant not free and fair while Mauritius elections were free and fair as reported by different international observers like EISA. The present data will be justified by the arguments scientifically as to how far the elections in both the countries were held democratically. Significantly, respondents have no willingness to claim that elections were free and fair. In this regard, attempts were made to hunt out the reality by putting "Have you heard distribution of case or goods on the eve of election in your state/constituency?" And it is also confirmed from personal interviewed with those key-informants like who dealt with election studies and other social workers that "dole for vote" or malpractices to gratify electorates were found overtly and covertly. It will be scientifically proved by the responses made by respondents during this study, but the matter is probably the quantum of involvement and sincerity of electorates. Participation of electorates in the elections were very high in Mauritius since in most of the elections voter turnout were more than 80% while 50%-60% in India in average.

Out of 2807 respondents from India 1844 (66%) witnessed distribution of cash or goods on the eve of election which meant elections were not free and fair. Besides, 473 (17%) respondents had willingness to support the argument while 226 (8%) denied the distribution of such odds. Imperatively, the situation in particular to dole for vote may be treated in the same manner in the sense that out of 337 respondents from Mauritius 140 (46%) supported that dole for vote have appeared on the eve of elections, while another 100

(30%) respondents had willingness to support the argument. In this regard if we compare to these two category “yes” + “suspicion but cannot say” (66+17) 83% India and (46+30) 76% Mauritius shows more better but both the countries have been facing challenges of election malpractices. It is quite cleared; Mauritius has more free and fair elections than India in the sense that 46% respondent supported against 65% Indian response. To support their views, many witnesses are found from leading newspapers from India while no news reports were found in Mauritius. Imperatively, it can also be confirmed that the nature of dole for vote is different that all types of malpractices like cash or goods distribution are found while only goods (like utensil and other domestic purposes) distribution are confirmed from key-informants. The respondents from India said such odd practices were usually taken place during two days ahead to just before night/morning of the poll opined by 73%, while 44% Mauritian respondent followed their opinion. Against this backdrop, it is reported that party leaders or incumbent party, had often made promise to the electorates to offer government jobs but it is within the spheres of corrupt practices that representation of people act prohibits such kind of “gratification”. As such, natures of malpractices found on the eve of election are quite different.

Table 2

Comparative Table of Dole for Vote in India and Mauritius

		Have you heard distribution of case or goods on the eve of election in your state/constituency				Total
		no	yes	suspicion but can't say	no option	
India	Count	226	1844	473	264	2807
	% within country	8.1%	65.7%	16.9%	9.4%	100.0%
Mauritius	Count	86	140	100	11	337
	% within country	25.5%	41.5%	29.7%	3.3%	100.0%
Total	Count	312	1984	573	275	3144

To support the above arguments, mention may be made that the quantum of candidates' involvement in the malpractices in particular to the practice of dole for vote may be studied. Indian sample shows that 1071 (38%) responded that candidates involved in such odds while another 1058 (38%) also claimed that some of them (candidate) involved. Against this opinion, 394 (14%) respondent viewed “not at all” which meant some of them involve in such corrupt practices are very clear. Here, in this case too, it is proved that Mauritius is better in the sense that out of 337 respondents 41 (12%) agreed that their candidates might be involved while 111 (33%) opined that some of them might be involved, and other remaining 185 (55%) responded as “not at all” and “no option”. So, it is cleared that the quantum of candidates' involvement in the malpractices are minimal even though some of them are involved.

State of Human Rights on The Eve of Elections

In contemporary, violation of electoral rights on the eve of election should be considered seriously that, many cases of violent cause are neglected as electoral politics. Such issues are mainly found in the entire states of India though it posed fluctuation of its degree of appearances. Mostly in the armed conflict states like Jammu and Kashmir, India's Northeast and Naxalite affected states have been witnessing. To the contrary, it is believed that, no electoral violence were usually carried out and no threat or intimidation might be there in Mauritius as many scholars who studied on this field had reported total free and fair elections except some sporadic minor violence. The following arguments can insight the ground reality and which country has more respect for electoral rights.

Figure 2. Intimidation/threat to party or candidate.

More or less both the countries have suffered from violation of electoral rights. In short, electoral rights have two components as voting rights and to be candidature. Whether all the aspirant candidates can contest election without any threat or intimidation is questionable to show free and fair election and more particularly to prove just electoral rights. In this context a question “Do you heard intimidation/threat to party or candidates in the recent past elections from any quarter” many respondents from India proved the reality. That, out of 2807 respondents, 991 (35%) lamented that such threats came up from miscreants/local goon. The matter may be any threat to the freedom of candidate, like to withdraw from the candidature or not to be candidate even before nominating his candidature. It may be, not to carry out election related campaign to some specific particular area where other candidates has full prospect. Some of them 395 (14%) claimed that state actors were also involved in violation of electoral rights. Mention may be made that in different parts of India, opposition parties often alleged incumbent party/government for misusing state actors and other main powers of government, in which such overtly or covertly many state actors were involved. Not only this, armed opposition groups were also on the staged that many political elites and parties have nexus with them and even compromised with mutual benefit theory. On the other hand, some armed opposition groups nominated their candidates through political party or as independent candidates in India. As such, many respondents 337 (12%) opined that threat or intimidation on the eve of elections came up from armed opposition groups while 1084 (39%) respondents kept mum. Significantly, out of 337 respondents, 299 (89%) did not comment on this matter in Mauritius which meant freedom of electorates are in just protected except few miscreants of local goons disturbed the electoral trend. Thirty-eighty (11%) respondent reported that threat or intimidations on the eve of elections came up from miscreants or local goon. Thus, it is very contrary to compare with India that it may be treated Mauritius as totally free from violation of electoral rights for the second component of candidature rights. Further, the argument may be supported with another query on the concerns of first component electors’ right.

In this analysis, Electors’ right refers only the right to vote while electoral right is considered as right to

vote and right to candidate. Threats or intimidations on particular elector or group of electors were also found on the eve of elections. The modus operandi of intimidation might be any act of bullying or coercive force to make behavioral change of electors, for instance, intimidation to support or not to support particular candidate or party, or not to involve in any electioneering activities which is attempt to curve freedom of electorates. In short, it is violation of electors' right who is supposedly to enjoy freedom of choice to exercise their conscience and wisdom to elect the worthy candidate. Such intimidations often appear in many parts of India though the frequency is accordingly different on the basis of state of affairs that is possessed by different states. It is witnessed, 1079 (38%) of respondents of India have opined that they are aware of such bullying or diktat to vote for particular candidate or party. At the same time, 997 (36%) agreed that they have suspicion but cannot say exactly. Such appearances of vote bullying was very low in Mauritius since only 37 (11%) respondents supported the argument of having violation of electors' right through diktat of threat while 109 (32%) respondents have doubt that it might be happen but cannot say.

Figure 3. Bullying/diktat to electorates.

Nevertheless, some of the electorates have suffered from such threat or diktat. Out of 2807 respondents of India, 599 (21%) said they have personal/family intimidation against their freedom of choice. Moreover, 397 (14%) respondents had feared to say the reality in the sense that they cannot say which meant they had also suffered because they did not say "no" or "no option". Significantly, many of them 1811 (65%) respondents had no such personal threat. It is very minimal in Mauritius that only 131 (3%) had claimed that they suffered such personal/family threat while 85 (25%) respondent might be also in this category that they had suspicion as they couldn't say "no" or "no option" while other remaining 252 (72%) had no suffered of personal or family threat on the eve of elections.

Major Findings

(1) Dole for vote or any malpractices disturbs freedom of choice and eventually violate electors' right by suppressing their rational power is confirmed;

- (2) Miscreants/local goons are main perpetrators of that violates electoral rights;
- (3) Mauritius held more democratic elections, more free and fair than the Indian elections;
- (4) Contemporary electoral trends of Mauritius respect human rights/electoral rights on the eve of elections. Besides, all the stakeholders respect electoral rights and more care of others' rights;
- (5) Conflict, violence, threats, and intimidation were very minimal that cannot lead to violation of electoral rights in this island;
- (6) Rather, criminals have no room in electoral politics of Mauritius which is a bottleneck issue of India;
- (7) Violation of electoral rights in many parts of India has been witnessed in particular to armed conflict states and naxalite affected regions;
- (8) Insurgents involvement in elections, nominating their nominee through party or as independent candidates, bullying electors and candidates are very common in India's northeast;
- (9) In India, the state of electoral rights is most deteriorating in Madhya Pradesh while safer in Meghalaya.

Conclusions

Contemporary electoral trends of India and Mauritius have drastic differences in many aspects. Elections in Mauritius are usually peaceful and democratic and more free and fair than Indian elections. Though it has some drawback areas to enhance more free and fair, the contemporary trend may be also termed as "free and fair". All the democratic countries will have certain minor incidents that can scare the democratic image but cannot affect the democratic system. In the data analysis, it is confirmed that participation and involvement of electorates are very satisfactory in the sense that they have well political consciousness. One of the significant contributions for this situation might be "civic sense" that most of the people respect others' right; they care of others' sentiment.

With this view, they are ready to follow all the social norms and law of the land despite not only electoral laws like representation of the people Act. Perhaps, it might be possible to organize elections in many years without election code of conduct which was recently implemented in 2010 (indeed started as trial in the by-election 2009 in a Moka district). Of course, the representation of the people Act and other relevant laws provide necessary rules and regulation. Though many of them are Indian origin, mentality is very different that is why no communal riots or ethnic violence is found so far. People are very cooperative to the government and they readily obey all the instructions of authority which is proved that no armed police forces are on the road side or other government buildings except using when it required. Logically in such country, electoral malpractices and other odd will be very minimal which is also proved by the data analysis. Besides, it can also understand, most of the respondents from Mauritius gave their response without any hesitation and sincerely while Indian respondents have often tried to hide many information.

In the same way political elites and candidates' involvement in the malpractices are indeed very low when it compared to Indian counterparts. The modus operandi of the candidates and party to attract the electorates are also somewhat different that most of the Indian counterparts have often committed illicit activities and priority is made on muscle power and money power, while in Mauritius, utility of muscle power is seemingly mismatch though some of them are involved in gratification like distribution of good in some particular areas. On the other hand, involvement of incumbent party in misusing of public property and manpower has very similar to both the countries.

In regard to state of human rights on the eve of elections, it is very contrary that, violation of human rights

in Mauritius is unquestionable as all the peoples and authorities have sincerely maintained law of the land. Of course, threat or intimidations are found on the eve of election which is very minor to compare with India where such violations of electoral rights are very common in some particular states. Not only this, election related violence is very common in many parts of India that thousands of armed forces are usually used on the polling day. Surprisingly, no armed forces are used on the election matters in Mauritius which is remarkable to prove free and fair election as well as violence free election. As such, it can be concluded that Mauritius elections are very democratic though it has certain areas to look into the matter of dole for vote. Besides, Indian election has many challenges though it has been holding incessantly.

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