

Why political parties motivated to contest criminals?

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Abstract: The study examines the motivation of political parties to prefer political candidate of criminal charges, which eventually associated with ill-gotten wealth, muscle power, and community traction of the candidates. The descriptive analyses of the data reveal that there is a strong connection between political party and criminals in order to gain electoral outcomes. Criminal political candidates had higher chances of winning in the Indian parliamentary election of 2009, 2014 and 2019, Despite having legal framework and institutional mechanism, Political parties enjoys impunity to contest such candidates Though such practice compromise the principal of 'Free and fair election and endanger democratic fabric of nation

Key Word: Criminalisation of politics, Impulsive and money power, ethnic bias, elections in India.

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I. Introduction

Criminalization of politics is a major threat to society around the world. (Brown, 2017) The term broadly refers to nefarious nexus between criminals and politics. Democratic theories argues that democratic elections lead to selection of honest and competent candidates that results in better governance. (Morelli, 2004, pp. 759-782) This argument may be questioned in context of Indian elections where the disclosure of criminal antecedents of political candidate depicts gruesome criminal record. Elected representative are charged with heinous crime such as murder, rape and kidnapping etc. Here, the major onus of entering criminal into politics lies with political party. There is certain push as well as pull factor such as institutional settings of political party, campaign finance, costly election expenditure culminated into influence of criminal into electoral politics in India.

II. Methods

This research paper is analysis oriented. The analysis based on after supreme court verdict where it stated that it is mandatory to disclose criminal charges framed against political candidate which result in conviction of more than two years. The entire data of election affidavits is available on website of election commission of India. Association Democratic Reform conduct all India assimilation of political candidate through National Election Watch. This data was used in analysis of influence of criminality in politics through their website <http://www.adrindia.org>. the emphasis is on general election of 2014 and 2019 because there are so many changes were witnessed in the parlance of electoral politics. The major trend and analysis with respect to election is yet to be researched

III. Literature Review

Since public disclosure of criminal record of political candidate came into public huge of amount research emerge.

According to Aitd, Political parties in India field criminal candidates when faced with stiff competition. This claim refuted by Milan Vaishnav by studying 28 state elections. According to him, there is no evidence in favor of electoral competitiveness increasing the likelihood to field criminal candidate The problem of criminalization of politics is because of lack of ethics and to autocratic party leader. (Haokip, 2013)

Dutta and Gupta (2014) reveal that voters actually punish candidates with criminal charges that contest in elections. This suggests that the intensity of monitoring by voters might be decisive: if monitoring costs are too high, fewer constituents might be aware of candidates' characteristics. As per Chandrachud, if we have bad governance, politics will delve into ethnic identities which will turned out to be voters preferring tainted

candidate who can extend patronage. This argument is supported by Banerjee et al. (2009), whose field experiment shows that voters in rural India tend to vote on caste (ethnic) considerations even after being provided with information on the criminal background details of the contesting candidates.

Positive prefer-ences for certain characteristics that criminals possess need to be accounted for, as they can be enough to trump anti-corruption efforts and help criminal candidates to get elected. In the words of Aidt et al.: “criminal candidates could enjoy access to an organized network of persons who can target swing or opposition voters with threats or the actual use of violence, thereby intimidating some of them not to show up at the polls.” Scholars like Berenschot argue that criminal candidates are quality candidate because they have advantage over financial resources. He also added that finds that criminals and local politicians coexist in a criminal-political nexus whereby politicians enable criminals to engage in black market activities by shielding them from state scrutiny. Criminals return the favor by helping politicians during elections by using their ill-gotten wealth.

Criminal gangs are also important for citizens as they often approach criminals to settle disputes and mediate their relationship with the state. Performing this role gives criminals the opportunity to act as an alternative form of government and thus cultivate a political base (Vohra, 1993)

A new perspective provided by Breeding when she relates criminal elements engaged in ‘vote -banks’ during election. Vote banks considered as clientelistic organizations that engage in vote buying and intimidation. So, studies put onus on voters. voters may benefit psychologically from voting for a candidate with a criminal record, as long as the candidate belongs to the same caste. Banerjee and Pande (2007) argue that when elections are “ethnified”, voters are willing to trade-off the psychological costs of supporting a criminal for the psychological benefits of supporting a co-ethnic. Furthermore, voters under impression of receiving public goods from a criminal candidate that shares a caste affiliation.

As Prof. Seshadri rightly commented, "Political leadership has behaved in an irresponsible manner having no other aim except to garner all sorts of votes by hook or by crookThe rules have become irrelevant in the contemporary situation when rowdies, history-sheeters, and criminals have become legislators and ministers. One can imagine the level to which the political parties have sunk when we notice that bandits are being nominated for legislatures. . . . Anything, anybody or any means is acceptable if votes can be got", (Seshadri, 1994: 287)

It is important to understand that entry of criminals into politics has diverse literature available such as caste equation, voter awareness etc. there is hardly any literature talks about institutional setting of political party which eventually pull and push towards politics.

IV. Result

Table no 1:Contestant and their declared criminal record

Contestant	2009	2014	2019
Without criminal cases	85 %	83 %	81 %
With criminal cases	15 %	17 %	19 %
Total number of contestants for which data have been analyzed	7670	8207	7950

Table no. 1: As per data available from Table no.1 it has been understood that number of criminal candidates contesting election has been in constant after General Election of 2009, the general election of 2014 witnessed 17% criminally tainted candidate contesting the election in recently concluded election of 2019 it has been witnessed that out of 7950 analyzed, 19 % belonged to criminal background.

Table no2: Winners and their declared criminal record

Contestant	2009	2014	2019
Without criminal cases	70%	66%	57%
With criminal cases	30%	34%	43%
Total number of winners for which data have been analyzed	526	517	519

Table no2:It has been observed that general election of 2009 witnessed 30% were laden with criminal cases out of 526 analyzed winners. The trend for winning election by criminal tainted candidate remains almost same in subsequent election such as around 34% and 43% in general election of 2014 and 2019 respectively.

Table no.3: Political Party wise criminal record in General Election of 2009

Party Name	2009		
	Number of Candidates Analysed	Number of candidates with Declared Criminal Cases	Percentage of candidates with Declared Criminal Cases
Indian National Congress	438	117	27%
Bhartiya Janata Party	428	116	27%
Bahujan Samaj Party	493	107	22%
Nationalist Congress Party	68	20	25%
CPI (IM)	81	20	25%

Table no.4: Winners and their declared criminal record in General Election of 2014

Party Name	2014		
	Number of Candidates Analysed	Number of candidates with Declared Criminal Cases	Percentage of candidates with Declared Criminal Cases
Indian National Congress	463	128	28%
Bhartiya Janata Party	426	139	33%
Bahujan Samaj Party	502	115	23%
Nationalist Congress Party	36	19	53%
CPI (IM)	92	32	35%

Table no.4: Winners and their declared criminal record in General Election of 2019

Party Name	2019		
	Number of Candidates Analysed	Number of candidates with Declared Criminal Cases	Percentage of candidates with Declared Criminal Cases
Indian National Congress	419	164	39%
Bhartiya Janata Party	433	175	40%
Bahujan Samaj Party	381	85	22%
Nationalist Congress Party	34	17	50%
CPI (IM)	69	40	58%

175 (40%) out of 433 candidates from BJP, 164 (39%) out of 419 candidates from INC, 85 (22%) out of 381 candidates from BSP, 40(58%) out of 69 candidates fielded by CPI(M) and 400 (12%) out of 3370 Independent candidates have declared criminal cases against themselves in their affidavits. 124 (29%) out of 433 candidates from BJP, 107 (26%) out of 419 candidates from INC, 61 (16%) out of 381 candidates from BSP, 24(35%) out of 69 candidates fielded by CPI(M) and 292 (9%) out of 3370 Independent candidates have declared criminal cases against themselves in their affidavits.

V. Discussion

According to Milan Vaishnav, criminal politician as one who is not convicted but against whom cases have been filed or registered and if these cases were to go to the court, the candidate would possibly be seeing ample jail time ahead. Since 1st general election of 1952

Elections has been influenced by the criminal ties in the garb of muscle power, intimidation of voters and all sorts of works assigned by the politicians. With fragmentation of congress as an umbrella party, rise of regional parties and irregular finance regime filled up the vacuum of political space in 1970 onwards. Since then, criminal started maximizing their political capital in respective region Mafia dons, gang leaders and history sheeters have found it convenient to pose as champions of their caste, community or the downtrodden. Riding on this wave of popularity among gullible and illiterate voters they have set their eyes on Parliament and state legislators. (DUBHASH, 2002)

The integration of criminals into politics commence at nomination process. In India, candidate nomination process is concentrated to party chief or elite, they enjoys upper hand over local party organization when it comes to nominate in a constituency.(Farooqui and Sridharan, 2014) therefore, it is assumed that political party can approve selection of new candidate or disapprove even reselection of incumbent candidate.

Now, this situation entirely dependent upon worth of aspiring candidate, this worth can be attributed by political parties to the 'winnability' Vaishnav, M. (2017). Political candidates winnability depends upon factors such as caste equation, campaign finance and party loyalty.

India is complex structure of outward diversity. It corresponds to caste, religion, community and ethnicity. In India Political mobilization happen based on it. But political parties have utilized this position used this differentiation to party benefit. While nominating political candidate political parties give due consideration to caste, religion, community and ethnicity factors. This lead to get 'en masse' voting to candidate for political party which results in landslide victory. Hence political parties look for such what Banerjee called out ethnic affiliation of political candidate.

The dynamics of Election finance regime has changed a lot. Political parties an engaged in cutthroat competition of winning election.(Kohli, 2009; Chhibber 2012) In addition to weak financial and income tax law along with Election Commission of India with limited powers spiraled up the cost of election. Political party's coffers basically comprise of membership fees and donation which is uncertain and not up to the mark in such situation, political parties choose candidates who are willing to undertake the expense of contesting the election. And using their position they can extract rent from private sector and contribute to party funding. Such act can be performed effectively by criminal candidates because easy access to money and muscle power.

VI. Conclusion

In Nutshell, I put forward the contention that why political parties are motivated to give preference to criminal candidates? With the help of data generated out of general election of 2009, 2014 and 2019. This research paper analyzed various dimension of political parties' inclination towards criminal candidate. Political parties, out of immense cost of election prefer such candidate which can self-finance themselves. Criminal tainted person has easy access to impulsive force and finance in the form of black money etc. this just one aspect of the question, in order to perform arithmetic equation of caste, community, ethnicity and religion, political parties enjoined with criminal candidates.

Though, this study focusing on one aspect of criminalization of politics due to criminality. Other consequences such as corruption, black money, vote bank politics yet to be pondered upon. The definition of 'who is criminal?' is quite contested in India. In order to prevent criminalization of politics, Minch (2013) describes the ground-level situation and recommends greater voter awareness led by civil society organisation.Gowda and Sridharan (2012) recommend partial public funding to overcome the problem of black money in elections. Chhokar (2001, 2003) argues for a greater involve- ment of citizens in electoral reforms.

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