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Editorial

Mandatory Voting: Practical Step or Political Gimmick?

On 19 December, the Gujarat Local Authorities Laws (Amendment) Bill, 2009 was passed in the State Assembly, which amended the Bombay Provincial Municipal Corp Act 1949, the Gujarat Municipalities Act, 1963 and the Gujarat Panchayats Act 1993. It is now mandatory for all registered voters in Gujarat to vote in the elections of all local bodies (municipal corporations, municipalities and panchayats) of the state. The new amendment empowers the election officer to declare people who do not cast their vote as defaulter voters and subsequently, the government will decide on the action to be taken against the defaulters. This system would apply to the forthcoming elections to all seven municipal corporations, 159 municipalities, 26 district panchayats, 223 taluka panchayats and 13,713 village panchayats of the state.

Obviously, this amendment generated a lot of statements and counter-statements. Some construed it as the kind of an unofficial census of different communities. For, mandatory voting necessitates the possession of identity cards, hence none can hide one's identity. While, supporters of the Amendment termed this step as pioneering and aimed at making democracy more representative and meaningful.

As per the statement of objects and reasons of the Amendment, "it is observed that due to low turnout of voters to discharge their duty by exercising their right to vote, the true spirit of the will of the people is not reflected in the electoral mandate". Chief Minister Narendra Modi stated categorically that the objective was to "bring the voter, rather than the political party, on the centre stage". He described the latest Amendment as a "historic move to strengthen democracy" and taking it from "drawing room politics to the polling booth level." He explained, "the idea was not to "punish" the "defaulters" who fail to cast their votes without a valid reason, but to instill a sense of discipline. It was intriguing that the candidates and parties with support of less than 26 percent of the total voters ruled for years because a large majority of people did not participate in the voting and had no voice in selecting their leaders". A day after the Gujarat Assembly passed the Bill, Chief Minister of Himachal Pradesh favoured the move to make democracy broad-based. "Himachal Pradesh will also try to introduce compulsory voting in the local bodies elections to make poll at grassroot level widely representative," he said. BJP leader Venkaiah Naidu described the move innovative and useful. RJD chief Lalu Prasad stated that it is a stand that deserves to be

supported. "There has been a gradual decline in the voting percentage in elections to the Lok Sabha and Vidhan Sabha. It would be worthwhile if voting was made compulsory for elections to Parliament and state legislatures. It will be in the larger interest of the country", he said.

Chief Election Commissioner, Navin B. Chawla found the idea of extending Gujarat's move on compulsory voting to all over India impractical as the issue of compulsory voting has multiple dimensions due to the huge size of electorate. He said, "it's for Parliament to legislate on this. As for the Election Commission, we think it's not practical to enforce more than 72 crore voters to compulsorily vote. We would watch the Gujarat's initiative with interest,"

Modi's opponents consider the new Amendment with substantial skepticism and motivated by a menacing motive. Many civil rights and human rights activists view this move as an infringement of basic freedom in a democratic polity. Others perceive it merely a political gimmick and doubt whether the new Amendment would be implemented at all. If so, what would be the outcome of post-Amendment elections? How would defaulter voters be punished? People in large number will file petitions against their punishment. In that case, how justice will be ensured and law be enforced? Opposition called the Amendment as "impractical and designed with political motives." According to them, this is a gross violation of one's freedom. It's one thing to like voting or exhort others to do so, but how does one force others to do so? Democracy and compulsion do not go hand in hand. Congress opposed the Bill, terming it in contradiction with the constitutional provisions.

Similar legislations had been adopted in as many as 20 countries, and some of the countries, like Belgium, also had provisions for punitive action for a voter's failure to cast his vote. Such rules, though, have improved voting pattern, remarkably from 45 per cent to over 90 per cent.

However, with this Gujarat became the first state to introduce such a law in the country. But some points need attention. The best way to address this issue was to educate the voters. Voters' education could be a better option to enthuse them. It can be achieved by engaging school and college students to enhance voters awareness. Association of local governance of India asserts that democracy can be strengthened by empowering gram sabha. It is high time to make full participation in gram sabha compulsory. It is gram sabha, which, in a way, must make policy decisions or at least reflect the choice of voters, thereby making grassroots democracy representative and meaningful.