

Article Title: “A short history of EVMs: They are to paper ballots what motor vehicles are to horse drawn buggies”

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Alleging vote fraud through tampering of Electronic Voting Machines (EVMs) is a time-honoured tradition by losing candidates and parties in India. This tradition began right from the very first instance of the use of EVMs, when the Election Commission (EC) tried out a pilot project during the Kerala assembly elections in 1982.

In fact, Communist Party of India (CPI) candidate Sivan Pillai challenged the use of EVMs even before the election could be held, but the Kerala high court did not entertain him. However, the fun was only just beginning since Pillai, despite his apprehensions, ended up winning.

Thereupon it was the turn of the losing Congress party to challenge the use of EVMs and Pillai’s victory, setting in motion a practice that has since become de rigueur for any self-respecting loser of an Indian election. Not all losing candidates go to court against EVMs, of course, but it has almost come to be considered bad form if the loser does not at least hold a press conference to denigrate them.

Ironically, in that first instance Congress actually prevailed. Though the HC turned down its argument that the Representation of the People Act (1951) and Conduct of Election Rules (1961) did not provide for EVMs, on appeal the Supreme Court then ruled in its favour in 1984.

In the resultant re-election conducted with traditional paper ballots, its candidate beat Pillai. Although of course that by itself was no proof against the veracity of EVMs, it has remained a beacon of hope for election losers over the decades.

In any event the 1984 SC ruling against EVMs had been on a legal technicality, and not about their fundamental suitability. That flaw was corrected by a 1988 amendment to the RoP Act, providing the legal framework for use of EVMs. In yet another ironic twist of history that was passed by a Parliament dominated by Congress, the only beneficiary of EVMs being set aside in favour of paper ballots.

The incorporation of machines, technology and automation for electoral voting goes back to at least 1892, when the first “lever voting machine” was used in New York, after decades of relying on paper ballots. Punch-card voting machines were introduced in the US in the 1960s, and were still in use in Florida four decades later, when their malfunctioning helped make the 2000 presidential election controversial. The US also saw the first EVMs introduced in 1975.

Automation helps improve the efficiency and speed of voting and counting. But it is even more important in overcoming fraud, as well as aiding the crucial democratic requirement of secret ballots, both aspects being much more vulnerable in manual voting. Those, and the huge logistical challenges of paper ballots, were exactly the reasons why India's EC pushed for EVMs, after widespread malpractices in the 1970s.

Democracy in India has made much progress over the decades, with the rest of the world going from being cynical about its survival, to now treating it as a triumphant role model. And since at least the era of TN Seshan in the early 1990s, the EC has arguably become our most respected institution, not to mention helping several other nations run their elections better. EVMs have played a significant role in this transition, which has seen a drastic reduction in voting malpractices.

Those who demand a rollback to paper ballots are wrong, and forget why we moved on from them. After all, despite the real risks of road accidents, we don't abandon motor vehicles and go back to horse drawn carriages. Instead, we implement safety measures like speed limits, seat belts and helmets.

Of course, no technology is infallible, and credible allegations of EVM tampering must be taken seriously. Fortunately, the EC does. In 2009, it conducted a highly publicised exercise, asking petitioners to demonstrate tampering. None could. Similarly, the Delhi HC in 2004 and Karnataka HC in 2005 had rejected petitions challenging EVMs, after examining scientific and technical experts.

In a case last month of an EVM allegedly yielding votes for only one party, the EC enquiry found that the allegation was untrue. Such quick responses by the EC to specific allegations, random audits, and public demonstrations are essential to reinforce EVMs' reliability.

But two aspects of EVMs in India remain works in progress that are important to further improve the electoral system. First, the EC's proposal to use "Totaliser" machines to aggregate the vote counting of multiple EVMs has been stymied by litigation as well as the government's disagreement. This relates to the core of why secret ballots are crucial for democracy. Without it, voters at any particular booth stand the risk of being victimised for not voting for powerful interests.

Finally, a new generation of EVMs was developed in 2011 with a feature for Voter Verified Paper Audit Trail (VVPAT). As the name implies, these make it vastly easier to audit and verify the votes cast if challenged. After an SC judgment to deploy these EVMs by 2019, the EC has already commissioned 20,000 of them, and is awaiting funding for the rest.

That would take EVMs' trustworthiness beyond reproach, but would sadly end 35 years of a gloriously entertaining tradition.