Why EVMs must go

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Paper ballots claim legitimacy by passing the three tests of a free and fair election, which EVMs don't

- The recent Assembly elections — the last major polling exercise before the 2019 Lok Sabha polls — were not devoid of Electronic Voting Machine (EVM) malfunctions.
- Though the discourse at present makes no distinction between a 'malfunction' (which suggests a technical defect) and 'tampering' (manipulation aimed at fraud), there were several reports of misbehaving EVMs.
- A discrepancy of even one vote between votes polled and votes counted is unacceptable.
- This is not an unreasonably high standard but one followed by democracies worldwide.
- It might therefore be helpful to briefly look beyond the question that has hijacked the EVM debate — of how easy or tough it is to hack these machines — and consider the first principles of a free and fair election.

Electoral first principles

- The reason a nation chooses to be a democracy is that it gives moral legitimacy to the government.
- The fount of this legitimacy is the people's will which is expressed through the vote, anonymously (the principle of secret ballot).
- Not only must this vote be recorded correctly and counted correctly, it must also be seen to be recorded correctly and counted correctly.
- The recording and counting process must be accessible to, and verifiable by, the public.
- So transparency, verifiability, and secrecy are the three pillars of a free and fair election.
- EVMs, however, fail on all three, as established by a definitive judgment of the German constitutional court in 2009.
- The court's ruling forced the country to scrap EVMs and return to paper

ballot.

- Other technologically advanced nations such as the Netherlands and Ireland have also abandoned EVMs.
- If we take the first two criteria, EVMs are neither transparent nor verifiable.
- Neither can the voter see her vote being recorded, nor can it be verified later whether the vote was recorded correctly.
- What is verifiable is the total number of votes cast, not the choice expressed in each vote.
- An electronic display of the voter's selection may not be the same as the vote stored electronically in the machine's memory.
- This gap was why the Voter Verifiable Paper Audit Trail (VVPAT) was introduced.
- But VVPATs solve only one-half of the EVMs' transparency/verifiability problem: the voting part.
- The counting part remains an opaque operation. If anyone suspects a counting error, there is no recourse, for an electronic recount is, by definition, absurd.
- Some believe the VVPATs can solve this problem too, through statistics.
- The third criterion is secrecy. Here too, EVMs disappoint.
- But with EVMs, we are back to booth-wise counting, which allows one to discern voting patterns and renders marginalised communities vulnerable to pressure.
- Totaliser machines can remedy this, but the EC has shown no intent to adopt them.
- So, on all three counts — transparency, verifiability and secrecy — EVMs are flawed.
- VVPATs are not the answer either, given the sheer magnitude of the logistical challenges.

Unjustified suspicions

- Despite these issues, EVMs continue to enjoy the confidence of the EC, which insists that Indian EVMs, unlike the Western ones, are tamper-proof.
- The EC has always maintained that suspicions against EVMs are unjustified.
- Clearly, the solution is not to dismiss EVM-sceptics as ignorant technophobes.
- Rather, the EC is obliged to provide the people of India a polling process capable of refuting unjustified suspicion, as this is a basic requirement

for democratic legitimacy, not an optional accessory.

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