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The Impact of Technology and Cyber Diplomacy on Elections in India

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This research article examines the influence of emerging technologies and cyber diplomacy on elections in India. It explores the historical background of post-independence elections, the adoption of digital electoral systems, and the role of cyber diplomacy in safeguarding the integrity of the electoral process. The article highlights the benefits brought by digital systems, such as increased efficiency, accuracy, accessibility, transparency, and deterrence of electoral fraud. However, it also discusses the challenges and issues associated with technology in elections, including cybersecurity threats, voter apathy, disinformation campaigns, and accessibility for persons with disabilities. The article delves into the reforms undertaken by the Election Commission of India to address these concerns, including regulations on social media usage by candidates, campaign finance transparency, and the establishment of monitoring committees for media and advertising. It also presents case studies on voter fraud and the implementation of Electronic Voting Machines (EVMs) and voter ID cards (EPIC) to reduce fraud and improve accuracy. The article concludes by emphasizing the need for robust frameworks, data protection laws, oversight mechanisms, and the enforcement of existing regulations to ensure the fairness, autonomy, and neutrality of elections in the face of technological advancements. It suggests that technology can be leveraged as a countermeasure to infringements and highlights the importance of clarifying the use of publicly available personal data in the electoral context.

Keywords: *digital elections, cyber diplomacy, election technology, voter fraud.*

INTRODUCTION

The incorporation of innovative technologies into electoral processes has sparked considerable debate globally, highlighting concerns about the integrity of elections. The advent of database hacking, the potential for media manipulation, and the risk of foreign technological interference have intensified public apprehension. Furthermore, the rise of social media has transformed political interaction, offering new platforms for engagement but also new challenges for electoral integrity.

The shift towards electronic voting systems and digital registration databases, coupled with the rapid advancement and increased accessibility of technology, necessitates a closer academic scrutiny. While these developments offer the potential to enhance electoral administration and participation, they also introduce significant risks. The possibility of malicious activities by various actors, along with the risk of mismanagement in the electoral process, threatens fundamental democratic principles such as political equality and the public's control over government.

This discussion emphasizes the urgent need for proactive measures in electoral law reform and the revision of international standards. Such steps are crucial to safeguard democratic integrity in the face of new technological realities affecting election management. By addressing these concerns through legislative and policy changes, it is possible to mitigate the risks associated with the use of new technologies in elections, thereby ensuring that democratic processes remain fair, transparent, and secure.¹

BACKGROUND TO ELECTIONS IN INDIA

Conducting elections in India represents a complex and expansive endeavour, marking it as one of the most significant logistical operations globally. This democratic exercise spans India's layered federal structure, including elections at federal, state, and local levels, decided by the 'First past the post' method.

¹ Holly Ann Garnett and Toby S. James, 'Cyber Elections in the Digital Age: Threats and Opportunities of Technology for Electoral Integrity' (2020) 19(2) Election Law Journal: Rules, Politics, and Policy 111 <<https://www.liebertpub.com/doi/10.1089/ej.2020.0633>> accessed 13 March 2024

Facilitating an equitable electoral process in the world's second-largest population is intricate. India embraces a universal suffrage principle, granting every citizen aged 18 and above the right to vote.² The Election Commission of India (EC) plays a pivotal role in this democratic machinery, a constitutionally empowered independent body charged with overseeing the electoral proceedings for the Parliament, state legislatures, and the offices of the President and Vice President. Beyond conducting elections, the EC's duties extend to defining electoral boundaries, preparing voter lists, categorizing political entities, and assigning election symbols. In instances where existing statutes are insufficient, the EC, backed by the Supreme Court's mandate, exercises the authority to bridge these legal voids.

The Indian political landscape is characterized by its diversity, with the presence of national, state, and regional parties. The EC sets specific criteria for the classification of these parties. As of now, India has six recognized national parties. A critical aspect of the electoral process is the handling of personal data, which underscores the importance of informed consent. Understanding the use of digital data and technology by political entities is crucial for ensuring individuals' autonomy in participating in the democratic process, shaping policy responses, and safeguarding the integrity of elections.³

POST-INDEPENDENCE ELECTION IN INDIA

Since gaining independence from British rule in 1947, India has held numerous elections at various levels, including national, state, and local elections. These elections have been crucial in shaping the democratic landscape of the country and determining its political leadership.

Here is an overview of post-independence elections in India:

First General Election (1951-52): The first general election in independent India was held from October 1951 to February 1952. It was a landmark event, marking the culmination of India's

² Swati Ramanathan and Ramesh Ramanathan, 'India's Democracy at 70: The Impact of Instant Universal Suffrage' (2017) 28(3) *Journal of Democracy* 86-95 <<https://www.journalofdemocracy.org/articles/indias-democracy-at-70-the-impact-of-instant-universal-suffrage/>> accessed 13 March 2024

³ Elonnai Hickok, 'The Influence Industry Digital Platforms, Technologies, and Data Use in the General Elections in India' (*Tactical Tech*, 2021) <<https://cdn.ttc.io/s/ourdataourselves.tacticaltech.org/ttc-influence-industry-india.pdf>> accessed 13 March 2024

transition to democracy. The Indian National Congress, led by Jawaharlal Nehru, emerged as the dominant party, winning a significant majority of seats.⁴

Subsequent General Elections: General elections have been held regularly every five years since the first one. These elections have seen the rise of various political parties and coalitions, providing opportunities for both national and regional parties to come to power. The Indian National Congress remained the dominant political force for several decades after independence. Still, the political landscape has become more diverse with the emergence of other parties like the Bhartiya Janata Party (BJP), Communist Party of India (Marxist), and regional parties like the Dravida Munnetra Kazhagam (DMK), All India Anna Dravida Munnetra Kazhagam (AIADMK), Trinamool Congress, etc.⁵

State Elections: Alongside general elections, India also conducts elections for state assemblies. These elections are held on a staggered basis, with each state having its own schedule. State elections are crucial as they determine the composition of state governments, which play a significant role in implementing policies at the regional level.

Local Body Elections: Elections are also held for local bodies such as municipal corporations, municipalities, and panchayats. These elections are vital for grassroots democracy and local governance.

ISSUES AND CHALLENGES OF POST-INDEPENDENCE ELECTION IN INDIA

ISSUES

Electoral Violence and Booth Capturing: Electoral violence, including instances of booth capturing, intimidation of voters, and clashes between rival political factions, has been a

⁴ 'First General Elections in India, Vol. I (1951-1952)' (*Election Commission of India*)

<<https://hindi.eci.gov.in/files/file/7448-first-general-elections-in-india-vol-i-1951-1952/>> accessed 14 March 2024

⁵ KASHIF ALI, 'AAM AADMI PARTY: EVOLUTION, CHALLENGES, AND FUTURE PROSPECTS' (2022) 40(2) *Regional Studies* 58-79 <<https://regionalstudies.com.pk/wp/wp-content/uploads/2023/03/4.-AAM-AADMI-PARTY.pdf>> accessed 14 March 2024

significant challenge in Indian elections. This not only undermines the integrity of the electoral process but also poses a threat to the safety and security of voters.

Corruption and Money Power: Corruption in electoral politics remains a pervasive issue in India. Candidates often resort to using illicit funds to finance their campaigns or bribe voters, leading to the distortion of the democratic process and unequal access to political representation.

Identity Politics and Communalism: Indian elections often witness the exploitation of religious, caste, and regional identities for political gains. Political parties sometimes stoke communal tensions to polarize voters along religious or ethnic lines, leading to social division and discord.

Dynastic Politics: Political parties in India are often dominated by political dynasties, where leadership positions are inherited within families. This phenomenon can hinder merit-based leadership and perpetuate nepotism within the political system, limiting opportunities for new and independent voices.

Inadequate Representation of Marginalized Groups: Despite efforts to promote inclusivity, marginalised communities such as women, religious minorities, and lower castes often face barriers to political participation and representation. This results in their underrepresentation in elected bodies and decision-making processes.

CHALLENGES

Election Financing: There are concerns about the transparency and accountability of election financing in India.⁶ Loopholes in campaign finance laws allow for undisclosed contributions from corporate entities and other interest groups, leading to undue influence on policy decisions and compromising the integrity of the electoral process.

Election Commission: The Election Commission of India faces various challenges in conducting free, fair, and transparent elections. These challenges include voter registration discrepancies,

⁶ André Barrinha and Thomas Renard, 'Cyber-diplomacy: the making of an international society in the digital age' (2017) 3(4-5) *Global Affairs* 353-364 <<https://doi.org/10.1080/23340460.2017.1414924>> accessed 15 March 2024

logistical issues in remote and conflict-affected areas, and ensuring the impartiality of election officials.

Political Polarization and Fragmentation: The Indian political landscape is characterized by polarization along ideological, regional, and identity lines. This polarization often leads to the formation of unstable coalition governments and hinders consensus-building on key policy issues, impacting governance and development.

CASES IN INDIA

Indra Nehru Gandhi v Raj Narain:⁷ Indira Gandhi was held accountable by the Allahabad High Court for breaches under The People's Representative Act, including the misuse of government resources and personnel, employing government transportation, and leveraging Airforce and Army support for her campaign activities. Following the annulment of her election victory, she sought intervention from the Supreme Court, securing a stay order that was criticized for its legal standing. In the ensuing period, she proclaimed a national emergency, leading to the detention of numerous opposition figures under preventive measures. Her administration also enacted the 39th Amendment Act, alongside modifications to election regulations through the Election Laws (Amendment) Act 1975 and adjustments to The People's Representative Act with the 1974 amendment, marking significant changes in the legislative framework governing elections and representation.

Rajendra Prasad v Sheel Bhadra Yajee:⁸ This case addressed issues around electoral malpractices, highlighting how judicial processes handle allegations of corruption in political campaigns.

R.Y. Prabhoo v P.K. Kunte:⁹ This Supreme Court decision focused on the misuse of religion in election campaigning, illustrating the challenges of maintaining secular principles in electoral politics.

⁷ *Indra Nehru Gandhi v S Raj Narain* [1975] SCC 2 159

⁸ *Rajendra Prasad v Sheel Bhadra Yajee* AIR 1967 SC 1445

⁹ *RY Prabhoo v PK Kunte* AIR 1996 SC 1113

U.C. Raman v P.T.A. Rahim:¹⁰ This case discussed the concept of an 'office of profit' under the government, which is crucial for determining eligibility for electoral candidacy based on constitutional guidelines.

CYBER DIPLOMACY AND DIGITAL ELECTION SYSTEM

Cyber diplomacy involves the use of diplomatic channels and strategies to address issues related to cyberspace, including cybersecurity, digital governance, and internet governance.¹¹ When it comes to digital elections in the Indian political system, cyber diplomacy plays a crucial role in safeguarding the integrity of the electoral process and addressing cybersecurity challenges.

Here is how cyber diplomacy works in conjunction with digital elections in India:

International Cooperation: Cyber diplomacy involves collaboration with other countries and international organizations to address common cybersecurity threats and challenges. In the context of digital elections, India may engage in diplomatic efforts to share best practices, exchange information on cyber threats, and coordinate responses to potential cyberattacks aimed at disrupting the electoral process.

Bilateral and Multilateral Engagement: India participates in bilateral and multilateral discussions on cybersecurity and digital governance issues with other countries and regional blocs. Through diplomatic channels, India seeks to strengthen cooperation, build trust, and establish norms and agreements that promote a secure and stable cyberspace environment conducive to democratic processes like elections.

Diplomatic Outreach to Technology Companies: With the increasing role of technology companies in providing digital infrastructure for elections, cyber diplomacy involves engaging with these companies to ensure the security and integrity of digital election systems. India may work diplomatically with technology firms to enhance cybersecurity measures, address vulnerabilities, and mitigate risks associated with digital electoral systems.

¹⁰ *U.C. Raman v P.T.A. Rahim* Civil App No.5509/2012

¹¹ Yinzhong Chen et al., 'The clinical utilization of SNIP1 and its pathophysiological mechanisms in disease' (2024) 10(2) *Heliyon* <<https://www.ncbi.nlm.nih.gov/pubmed/PMC10831730>> accessed 15 March 2024

Capacity Building and Technical Assistance: Cyber diplomacy includes efforts to enhance the cybersecurity capabilities of other countries, particularly developing nations, through capacity-building programs and technical assistance. In the context of digital elections, India may provide training, expertise, and support to help strengthen the cybersecurity posture of electoral authorities in partner countries, thereby contributing to the resilience of electoral systems globally.¹²

Norm Development and Advocacy: Cyber diplomacy aims to shape international norms, rules, and standards governing cyberspace behaviour. India advocates for norms that promote responsible state behaviour, protect the integrity of electoral processes, and prevent cyber interference in democratic institutions. Through diplomatic channels, India works to build consensus and garner support for these norms at the international level.

Crisis Management and Incident Response: In the event of cybersecurity incidents or attempted interference in digital elections, cyber diplomacy plays a critical role in crisis management and incident response. India may engage in diplomatic dialogue with relevant stakeholders, including other governments, international organizations, and technology companies, to coordinate responses, share threat intelligence, and mitigate the impact of cyber threats on the electoral process.

WHAT BENEFIT DOES THE DIGITAL ELECTORAL SYSTEM BRING TO IN INDIAN POLITICAL SYSTEM?

The adoption of digital electoral systems in India has brought several benefits to the country's political system, including:

Increased Efficiency: Digital electoral systems have streamlined various aspects of the electoral process, such as voter registration, ballot casting, and result tabulation. This has significantly

¹² Ratih Indraswari and Eunwoo Joo, 'Identification of New Southern Policy Narratives within ROK's Digital Diplomacy toward ASEAN' (2022) 18(1) Jurnal Ilmiah Hubungan Internasional 74-87 <<https://doi.org/10.26593/jihi.v18i1.5672.74-87>> accessed 15 March 2024

reduced the time and resources required for election administration, making the process more efficient and cost-effective.¹³

Enhanced Accuracy: Digital voting systems, such as Electronic Voting Machines (EVMs) and Voter-Verified Paper Audit Trails (VVPATs), have improved the accuracy of the voting process. Automated tabulation of votes minimizes errors and discrepancies, ensuring that election results are more reliable and trustworthy.

Improved Accessibility: Digital electoral systems have made voting more accessible to all citizens, including persons with disabilities (PWDs) and those residing in remote or inaccessible areas. Features such as audio ballots, braille interfaces, and mobile voting options have enhanced inclusivity and convenience for voters across the country.

Transparency and Accountability: Digital electoral systems promote transparency and accountability in the electoral process by providing a clear audit trail of votes cast. Voters can verify their choices, and electoral authorities can conduct post-election audits more effectively, ensuring the integrity of elections and building public trust in the electoral process.¹⁴

Faster Results: Digital electoral systems enable quicker tabulation and dissemination of election results, leading to faster declaration of outcomes. Real-time reporting of voting data enhances public confidence in the electoral process and minimizes the uncertainty associated with prolonged vote counting.

Deterrence of Electoral Fraud: Digital systems help deter electoral fraud by incorporating security features such as encryption, tamper-proof technology, and robust authentication mechanisms. This reduces the risk of unauthorized access, tampering, or manipulation of voting data, thereby safeguarding the integrity of elections.

¹³ Gary C. Kessler and James D. Ramsay, 'A Proposed Curriculum in Cybersecurity Education Targeting Homeland Security Students' (47th Hawaii International Conference on System Sciences, Waikoloa, HI, USA, 2014) 4932-4937

¹⁴ Dessy Permatasari Saputri et al., 'The Indonesian Cyber Diplomacy: ASEAN-Japan Online Cyber Exercise' (2020) 9 Technium Social Sciences Journal 453-464 <<https://doi.org/10.47577/tssj.v9i1.911>> accessed 15 March 2024

Adaptation to Technological Advancements: Embracing digital electoral systems allows electoral authorities to adapt to technological advancements and innovate in election administration. This enables continuous improvement in electoral processes, incorporating emerging technologies to enhance security, accessibility, and efficiency.

EVM: THE DIGITAL REMEDIES

The adoption of Electronic Voting Machines (EVMs) in India was associated with a notable 3.5 percent decrease in the number of registered voters and a 3.18 percent overall decline in voter participation. This shift observed between 1976 and 1997, where the typical margin of victory in elections was around 15.8 percent, implies that a 3.18 percent change in voter turnout could significantly influence electoral outcomes.¹⁵

Studies found a pronounced drop in voter numbers primarily in regions with a history of electoral malpractices and where candidates often faced serious criminal allegations. Despite these figures, research by the Centre for the Study of Developing Societies pointed out an encouraging trend: the participation of marginalized demographics, including women, scheduled castes and tribes, the elderly, and voters with little to no formal education, saw an uptick following the EVM implementation. Specifically, the data highlighted a 6.4 percent increase in the likelihood of ballots being cast by voters with lower education levels, suggesting EVMs played a role in enabling broader electoral participation among traditionally underrepresented groups.

The analysis suggests that the reduction in overall voter turnout was likely a result of decreased instances of ballot fraud or manipulation, rather than factors like increased waiting times or reluctance towards adopting new technologies.¹⁶

¹⁵ Madhavan Somanathan, 'India's electoral democracy: How EVMs curb electoral fraud' (*BROOKINGS*, 05 April 2019) <<https://www.brookings.edu/blog/up-front/2019/04/05/indias-electoral-democracy-how-evms-curb-electoral-fraud/?msg=fail&shared=email>> accessed 16 March 2024

¹⁶ Ari Darmastuti et al., 'Social Media, Public Participation, and Digital Diplomacy' (Proceedings of the 2nd International Indonesia Conference on Interdisciplinary Studies (IICIS 2021))

These findings suggest that the overall decrease in turnout was due to a reduction in false ballots or less fraud, rather than other factors such as longer lines or voter aversion to new technology.

CHALLENGES WITH THE CYBER DIPLOMACY AND DIGITAL ELECTORATE SYSTEM IN INDIA

Voter Apathy and Low Voter Turnout: Despite being the largest democracy in the world, India often grapples with voter apathy and low voter turnout, especially among urban populations. Reasons for this include disenchantment with political processes, lack of trust in political institutions, and logistical hurdles in accessing polling stations, particularly in rural and remote areas.

Election Security and Law Enforcement: Ensuring the security of elections remains a challenge, particularly in regions affected by insurgency, terrorism, or communal violence. Coordinating security arrangements and preventing incidents of violence or intimidation during elections require robust law enforcement mechanisms and coordination between state and central agencies.

Electoral Disinformation and Misinformation: With the rise of social media and digital platforms, elections in India are increasingly vulnerable to the spread of disinformation and misinformation campaigns. False narratives, fake news, and propaganda aimed at influencing voter perceptions pose a threat to the integrity of the electoral process and can manipulate public opinion.¹⁷

Election Accessibility for Persons with Disabilities: Despite efforts to promote inclusivity, accessibility remains a challenge for persons with disabilities (PWDs) in Indian elections. Issues such as inadequate infrastructure, lack of assistive technologies, and social stigma often hinder the full participation of PWDs in the electoral process, limiting their ability to exercise their voting rights.

¹⁷ Carmen Elena CÎRNU and Paul-Cristian VASILE, 'A Blockchain-based Application as Part of a Digital Diplomacy Approach to Facilitate and Advance Cyber Diplomacy' (2022) 3 International Journal of Cyber Diplomacy 51-60 <<https://doi.org/10.54852/ijcd.v3y202206>> accessed 16 March 2024

Electoral Boundary Delimitation: The process of delimitation of electoral constituencies, aimed at ensuring equitable representation, is often mired in controversies and politicization. Delays in updating electoral boundaries based on population changes can lead to discrepancies in representation and undermine the principle of fair electoral representation.¹⁸

Media Influence and Biased Reporting: Media plays a crucial role in shaping public opinion during elections. However, concerns arise regarding media bias, partisan reporting, and sensationalism, which can skew voter perceptions and influence electoral outcomes. Ensuring impartial and responsible media coverage is essential for fostering informed decision-making among voters.

Technology Challenges: While the adoption of technology has facilitated various aspects of the electoral process, such as voter registration and electronic voting machines (EVMs), it also brings challenges such as cybersecurity threats, technical glitches, and concerns about the integrity of electronic voting systems. Safeguarding against these challenges is essential to maintain trust in the electoral process.

ELECTION COMMISSION AND REFORMS

The Election Commission of India has been undertaking several reforms to address concerns related to elections:

Social Media: In October 2013, the Election Commission issued instructions on the use of social media by candidates.¹⁹ Candidates are required to submit an affidavit with their social media accounts and contact details, obtain precertification of all political advertisements on electronic media including those on social media, report on expenditure on campaigning through the internet including social media websites and to companies making creative development content, and adhere to the model code of conduct on the internet including social media.

¹⁸ Efe Sevin and Ilan Manor, 'From Embassy Ties to Twitter Links: Comparing Offline and Online Diplomatic Networks' (2019) 11(3) Policy & Internet 324-343 <<https://doi.org/10.1002/poi3.199>> accessed 16 March 2024

¹⁹ Hickok (n 3)

Campaign Finance: In 2013, a legal framework was implemented to promote transparency in campaign fundraising by permitting private companies to contribute unrestricted amounts of funds to political parties, on the condition that the amount is revealed.²⁰

Polling: Historically, polling has been conducted to gauge the prevailing sentiment of the general population throughout electoral periods. News reports have characterised the process in India as flawed, citing difficulties in understanding cultural subtleties and complexity, as well as the lack of trustworthy data.

Mass Media, Advertising, and Paid News: The Election Commission of India introduced a Media Certification and Monitoring Committee at the district level in 2013 to oversee the content broadcasted on cable TV and Satellite Channels, radio, print media, and social media. The committee's primary objective was to monitor instances of paid journalism and political advertising. In 2016, Microsoft partnered with the Election Commission of Tamil Nadu to track and analyze social media posts made by candidates, with a specific focus on identifying hate speech and paid content.

Social Media: The Election Commission initiated a public consultation on social media on December 17th, 2015. The consultation aimed to address various aspects, such as comprehending the operations of social media and its potential advantages for the Commission and the Indian electorate. Additionally, it sought to explore strategies for dealing with undesirable individuals and situations that the Commission may encounter both online and in real time. In 2016, the Election Commission released a directive regarding the utilisation of social media by election officials. In 2018, the Election Commission unveiled plans to establish a 'social media hub' that would utilise Facebook and YouTube as platforms for disseminating pertinent and instructional content regarding elections.²¹

²⁰ Hasan Saliu, 'Public Diplomacy and Related Concepts from the Perspective of Lasswell's Communication Model' (2020) 11(2) *Jahr – European Journal of Bioethics* <<https://doi.org/10.21860/j.11.2.2>> accessed 16 March 2024

²¹ Defbry Margiansyah, 'Revisiting Indonesia's Economic Diplomacy in the Age of Disruption: Towards Digital Economy and Innovation Diplomacy' (2020) 8(1) *Journal of Asean Studies* <<https://doi.org/10.21512/jas.v8i1.6433>> accessed 16 March 2024

CASES

India introduced the EPIC, a voter ID card, in 1993 to address concerns about voter fraud. The card features images and information that are seamlessly integrated into the existing rolls to enhance precision and mitigate fraud in the electoral system. In 2018, the Election Commission of India requested the Supreme Court of India to mandate the linking of Aadhaar (India's 12-digit biometric-based identity card) with EPIC to better combat fraud. The National Electoral Roll Purification and Authentication programme initiated the integration of EPIC with Aadhaar in 2015-2016. India successfully introduced electronic voting machines in all polling stations starting in 2004. The Electoral Rolls were digitised in 1998 and are currently available for purchase by the general public.²² The Electoral Rolls were digitised in 1998 and are currently accessible for purchase by the general public. They are also distributed to both National and State parties. Electronic Voting Machines expedite the process, generate reports promptly, and provide a paper trail that is confirmed by the voter. The electoral rolls have been digitised and linked to the EPIC number of voters for cross-referencing.

CONCLUSION AND SUGGESTION

The utilisation of emerging technologies and data is generating significant inquiries regarding the influence, particularly on the equity, autonomy, and neutrality of elections.

From the above, the following can be observed:

Mobile Penetration: It is predicted that by 2022, 76.6% of the population in India will have a mobile smartphone, providing political parties with an unparalleled opportunity to directly engage with voters and promote their ideologies. This will also necessitate that groups working on electoral ethics possess the financial resources and technical capabilities to keep up with the political parties.

²² Luigi Di Martino, 'Fear and empathy in international relations: Diplomacy, cyber engagement and Australian foreign policy' (2021) 20 *Place Branding and Public diplomacy* 1-11 <<https://doi.org/10.1057/s41254-021-00211-9>> accessed 16 March 2024

Messaging: It has been reported in the media that political parties are manipulating metrics and data in order to present favourable results that will attract voters. Ensuring the messages' quality and authenticity becomes crucial as the reach expands.

Private Entities: Data collection and analytics companies from the private sector are being contracted or engaged in the political sphere to exert influence on voters. As demonstrated by the Cambridge Analytical scandal, it is crucial for countries to develop structures for regulating such collaborations.

The utilisation of emerging technologies such as SMS, voice calling, and referrals allows independent candidates and small parties to effectively raise funds and establish connections with individuals, thereby matching the capabilities of well-funded political parties.

Customized Communication: Customised communication and online platforms could potentially foster an environment where like-minded individuals reinforce each other's beliefs without considering alternative perspectives. It is possible to develop a system that enables multiple perspectives, which could result in a better-informed voter.

Undecided and Swing Voters: To ensure the responsible and effective use of data analytics in targeting undecided, independent, and swing voters and localities, it may be necessary to establish frameworks and safeguards to prevent misuse and potential harm.

Personal Data: While the ECI has made efforts to establish a stance on the utilisation of social media in elections, it must also address the broader issue of using both publicly accessible and private personal data in elections.

Proposal: It may be necessary to create oversight entities to monitor election campaigns that utilise data, ensuring that relevant information such as methodology, sample size, and techniques are disclosed.

India requires **comprehensive data protection** legislation that encompasses both the public and private sectors and acknowledges the dynamic nature of data and individual rights.

The **clarity of enforcing the current regulations** is sometimes lacking. Technology can be used for solutions as a counterweight to infringements.

Publicly Accessible Data: It is necessary to provide clarification regarding the utilisation of data that is available to the public. One step could include securing and minimizing personal data available publicly.

SUGGESTIONS AND WAY FORWARD

Comprehensive Data Protection Law: India should prioritize the enactment of a comprehensive data protection law that covers both the public and private sectors. The law should recognize the evolving nature of data and rights, ensuring that personal data used in elections is adequately protected and regulated.

Strengthening Cyber Diplomacy Efforts: India should further strengthen its cyber diplomacy efforts to address the challenges posed by technology in elections. This includes engaging in international cooperation, sharing best practices, and collaborating with other countries and organizations to develop global norms and guidelines for the use of technology in electoral processes.

Enhancing Digital Literacy and Awareness: The government and civil society organizations should invest in digital literacy programs to educate voters about the responsible use of technology, the identification of disinformation, and the importance of exercising their democratic rights. Awareness campaigns can help mitigate the impact of echo chambers and promote informed decision-making among voters.

Establishing Independent Oversight Mechanisms: India should consider establishing independent oversight mechanisms to monitor and regulate the use of technology and data in elections. These bodies can be responsible for auditing the practices of political parties, campaign organizations, and private companies involved in election-related activities, ensuring transparency and accountability.

Encouraging Ethical Use of Technology: Political parties and candidates should be encouraged to adopt ethical practices in their use of technology and data analytics. Voluntary codes of conduct and guidelines can be developed in collaboration with the Election Commission of India to promote responsible and transparent use of digital tools in campaigns.

Continuous Evaluation and Adaptation: As technology continues to evolve, it is crucial to regularly evaluate the effectiveness of existing regulations and frameworks. The Election Commission of India should engage in ongoing research, stakeholder consultations, and impact assessments to adapt and update its policies and guidelines in response to emerging challenges and opportunities.

Collaboration with Technology Companies: The government should foster collaboration with technology companies to address the challenges associated with digital platforms, such as the spread of disinformation and the misuse of personal data. Partnerships can be established to develop technical solutions, share threat intelligence, and create a safer online environment during elections.

Investing in Secure and Accessible Infrastructure: Adequate resources should be allocated to upgrade and maintain the digital infrastructure used in elections, ensuring its security, reliability, and accessibility. This includes investing in cybersecurity measures, providing assistive technologies for persons with disabilities, and expanding digital connectivity in remote areas.

By implementing these suggestions and adopting a proactive approach, India can harness the benefits of technology while mitigating the risks associated with its use in elections. A combination of legal frameworks, cyber diplomacy efforts, digital literacy initiatives, oversight mechanisms, and collaboration with stakeholders can contribute to strengthening the integrity and fairness of the electoral process in the digital age.