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### Author

Tiwari, Devesh Kumar

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**Party Politics and Criminality in India**

A dissertation submitted in partial satisfaction of the  
requirements for the degree  
Doctor of Philosophy

in

Political Science

by

Devesh Kumar Tiwari

Committee in charge:

Professor Kaare Strom, Chair  
Professor Miriam Golden, Co-Chair  
Professor Julian Betts  
Professor Clark Gibson  
Professor Sebastian Saiegh  
Professor Matthew S. Shugart

2014

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Co-Chair

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Chair

University of California, San Diego

2014

## DEDICATION

To my wife. To my parents and to theirs.

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## VITA

- 2000 B.A. in Economics, University of Michigan, Ann Arbor
- 2005 M.P.P. in Public Policy, University of Michigan, Ann Arbor
- 2014 Ph.D. in Political Science, University of California, San Diego

## PUBLICATIONS

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ABSTRACT OF THE DISSERTATION

**Party Politics and Criminality in India**

by

Devesh Kumar Tiwari

Doctor of Philosophy in Political Science

University of California, San Diego, 2014

Professor Kaare Strom, Chair  
Professor Miriam Golden, Co-Chair

Why do political parties nominate candidates who have the potential to damage parties' reputation among voters? Specifically, why do parties in India nominate candidates who have been charged with committing violent crimes? In this dissertation, I examine the relationship between parties' goals, candidates' attributes, and electoral competition in order to understand why parties nominate candidates with normatively bad reputations. Chapter 1 provides the motivation for the project, highlighting the importance of understanding parties' candidate nomination logic when trying to understand why candidates with criminal charges

are electorally successful in India. Chapter 2 develops a theory of candidate selection that serves as a framework for understanding why parties nominate certain types of candidates. In Chapter 2, I contend that parties nominate candidates who have a comparative advantage in helping parties increase their chances of winning a given seat (vote-generating candidates) into competitive electoral constituencies; parties nominate candidates who have a comparative advantage in helping parties increase their organizational capacity (party-capacity building candidates) into safer electoral constituencies. In Chapter 3, I apply this theory to India, arguing that parties' demand for vote-generating candidates has been increasing over time and that criminal candidates are primarily skilled at increasing parties' vote-share in the constituencies they are nominated into. In Chapter 4, I empirically test the relationship between constituency level electoral competition and the probability parties nominate candidates with violent criminal charges. I analyze party-constituency level data from 22 state level elections between 2003 and 2007. I find that parties that were the closest to winning a seat in their prior election — parties that faced the highest level of electoral competition — are the most likely to nominate a candidate with violent criminal charges into that constituency in the current election. I also find that electorally competitive parties that nominate these candidates are more likely to win their constituencies, compared to parties that nominated non-charged candidates. In Chapter 5, I examine whether, consistent with existing scholarship, parties nominate candidates with criminal records because they are wealthier than non-charged candidates. If this conventional wisdom were true, then I would expect parties to nominate their wealthiest candidates into their most competitive electoral constituencies. In contrast to this expectation, I find that parties nominate their wealthiest candidates into their safest electoral constituencies, thus implying that wealthy candidates are party-capacity building candidates and

that the electoral success of candidates with violent criminal charges is not due solely to wealth. In Chapter 6, I examine if parties face any downstream consequences related to governance because they nominated candidates with violent criminal charges. Using a regression discontinuity design, I compare the attendance rates of Members of Parliament (MPs) with violent criminal charges who barely defeated a non-charged challenger with the attendance rates of MPs without criminal charges who barely defeated a challenger with a violent criminal charge. I restricted this analysis to MPs who were elected in the 2004 or 2009 national elections and who served out their entire term. I find that MPs with violent criminal charges attend office less often than their non-charged peers.

# Chapter 1

## The Puzzle of Candidates With Criminal Charges in India

### 1.1 Introduction

In the 2014 national elections to the popularly elected chamber of the Indian Parliament (the Lok Sabha) the Bharatiya Janata Party (BJP), which at the time was the chief opposition party to the incumbent Indian National Congress (Congress Party), nominated Swami Sachchidanand Hari Sakshi as its electoral candidate in the electoral constituency of Unnao, Uttar Pradesh (India's most populous state) (Verma, 2014).<sup>1</sup> Mr. Sakshi was charged with allegedly murdering a longtime associate in 2013 and was also previously expelled from office for allegedly misusing government funds (Angre, 2013).

Nominating an alleged murderer and allegedly corrupt candidate stood in

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<sup>1</sup>In India, electoral districts are called constituencies while the word “district” refers to administrative districts. India is subdivided into states and Union Territories, which in turn are subdivided into administrative districts. Administrative districts (analogous to counties in the United States) are subdivided into electoral constituencies for state level elections. For national elections, each state is subdivided into electoral constituencies as well, though their boundaries overlap with the boundaries of administrative districts.

sharp contrast to the political climate surrounding these elections. Firstly, the BJP campaigned on the banner of good governance and economic development (Verma, Beg and Kumar, 2014); secondly, the Aam Aadmi Party (AAP), an anti-corruption party, which had emerged victorious after the 2013 state elections in New Delhi, was making its national debut and made corruption and good governance its central themes during this electoral campaign (MacAskill and Pradha, 2014); and finally, this election was conducted shortly after the Indian Supreme Court ruled that politicians convicted of committing a crime can be expelled from office (The Indian Express, July 10, 2013). Despite the fact that the national sentiment seemed to be against candidates associated with criminal and corrupt activities, the BJP nominated Mr. Sakshi and several other candidates with criminal charges in Uttar Pradesh. The BJP was not punished at the polls. Mr. Sakshi won his election in Unnao, the BJP won 71 out of 80 seats in Uttar Pradesh, and the BJP went on to win an absolute majority of seats nationwide — a feat no party had accomplished since 1989.

The fact that the BJP would nominate Mr. Sakshi and other candidates with criminal records is puzzling given the public distaste against criminal and corrupt politicians in India. Voters dislike voting for criminal candidates, all else being equal (Banerjee et al., 2013; Chauchard, 2013);<sup>2</sup> and reformist groups have pressured the government and courts for years to take action against corrupt and criminal politicians.<sup>3</sup> By nominating Mr. Sakshi and his ilk, the BJP risked alienating

---

<sup>2</sup>In a national survey conducted prior to the 2014 elections by the Association for Democratic Reforms, an NGO based in New Delhi, nearly 78 percent of respondents reported that they believe voters should not vote for criminal candidates. The summary statistics of this national survey were provided to me by the Association for Democratic Reforms via email.

<sup>3</sup>Reformist groups have been pursuing both political and legal strategies to push for reforms that will increase the quality of governance and representation in India. These reforms include the creation of an Ombudsman charged with prosecuting corruption related cases against sitting politicians, the mandated use of public disclosure affidavits that all candidates running for public office, and the 2013 Supreme Court ruling barring politicians convicted of a crime to retain office.

voters within the electoral constituencies these candidates were nominated into, and the party also risked damaging its reputation nationwide. Given the potential risks associated with nominating candidates with such normatively bad reputations, why do parties do it? What do parties gain from nominating these candidates? What is the relationship between what parties need in order to operate effectively, the attributes of prospective electoral candidates, and electoral competition?

I contend that in order to understand why parties nominate criminal candidates, it is important to understand how and why parties nominate electoral candidates more generally. What traits do parties care about the most? What constraints do they face when deciding whom to nominate in elections? Do parties care only about nominating a candidate with the potential to win their constituencies, or do parties also desire candidates who are committed to improving their organizational capacity? By understanding the logic driving the candidate nomination process, I argue that we can learn something about the value, or the type of value, parties realize from nominating candidates with criminal records in India.

## **1.2 The puzzle of criminals candidates in Indian elections**

Political parties have been using candidates with ties to criminal behavior since the early days of the Indian Republic (Vohra, 1993; Kochanek, 2010). Scholars interested in understanding the degree to which criminal and moneyed candidates were contesting elections in India were given a boost by the Indian Supreme Court. In 2003, the Indian Supreme Court ruled that all candidates running for political office must file public affidavits with the Election Commission of India and disclose, among other things, whether they have ever been charged with committing a crime,

the statute numbers they were accused of violating, and the value of their financial assets and liabilities. Using the data generated by this ruling, contemporary research has documented that parties not only nominate candidates with criminal charges, but that these candidates win at a disproportionate rate compared to candidates without criminal charges pending against them (Paul, Samuel, Vivekananda, 2004; Aidt, Golden and Tiwari, 2011; Vaishnav, 2011*c*; Dutta and Gupta, 2012).

Between 2003 and 2009 in state level elections in India, roughly 13 percent of all candidates nominated by political parties reported that they have been charged with committing a crime; a figure that rises to 20 percent for candidates who won their elections. In other words, *prima facie* evidence suggests that candidates with criminal charges are about 1.6 times as likely to win their elections as candidates without criminal charges.<sup>4</sup>

This pattern also exists for candidates who have been charged with committing violent crimes. If we restrict our attention to candidates who have been charged with violating Chapter 16 of the Indian Penal Code, “Offenses Against the Human Body”, we observe a similar pattern. About 7 percent of candidates have been charged with violating this chapter of the Indian Penal Code, which includes crimes such as murder, attempted murder, kidnapping, and assault. Among candidates who went on to win their elections, 11 percent were charged with committing violent crimes. Again, it appears as if candidates with violent criminal charges are more likely to win their elections — about 1.7 times as likely — than candidates who have not been charged with committing any crimes.<sup>5</sup>

The presence and success of candidates charged with committing a crime has not decreased over time at the national level. In the 2004 national elections,

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<sup>4</sup>Author’s calculations based on data provided by the Association for Democratic Reforms.

<sup>5</sup>Author’s calculations based on data provided by the Association for Democratic Reforms and Vaishnav (2011*c*).



8.7 percent of candidates had been accused of committing crimes, a figure rising to 10.6 percent during the 2014 national elections. During this time, the proportion of winning candidates with criminal charges remained around 24 percent. Despite the fact that the issue of criminality in Indian politics is well publicized, and that the criminal antecedents of electoral candidates has been in the public domain for over 10 years, allegedly criminal candidates have seemingly retained their appeal to parties and voters in India.<sup>6</sup>

Given the possibility that candidates who have been charged with committing crimes, even violent crimes, are better at winning elections than non-charged candidates, it is natural to ask: Who are these criminals and where do they come from? In India, these questions are addressed in a burgeoning literature referring to this phenomena as the “criminalization of Indian politics”. Quoting Haokip (2013), the criminalization of Indian politics refers to the direct and indirect influence of criminals in government and politics:

1. In a narrow sense it refers to the direct entry and interference of criminals into state legislatures and parliament of India, and
2. In wider sense it refers to interference of criminals into politics either directly or indirectly like financing any candidate, providing anti-social manpower, booth capturing, contract killing of rival candidates, providing muscle power services, as well as campaigning for any candidate contesting elections.

Haokip is not concerned solely with politicians who engage in politically related crimes such as bribery or corruption, but a with politicians who engage in violent criminal activities. The puzzle here, in other words, is how are individuals who are associated with activities we normally expect voters to find repulsive,

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<sup>6</sup>Author’s calculations based on data provided by the Liberty Institute of India.

are nonetheless nominated by parties and successfully contest elections? Why are elections failing to screen these candidates out?

The existing literature on the criminalization of Indian politics tends to focus on why candidates with criminal records win elections, and we can think of three reasons as to why elections fail to screen out candidates with normatively bad reputations: (1) The “ignorant voter” hypothesis argues that tainted and low quality candidates can win elections if voters are unaware of their criminal antecedents (Banerjee et al., 2009, 2010); (2) the “voter preferences” hypothesis argues that criminal candidates can win elections because voters care more about other candidate traits — such as ethnicity, caste (Banerjee and Pande, 2007; Vaishnav, 2011*a*; Chauchard, 2013; Banerjee et al., 2013), or the receipt of patronage (Chauchard, 2013) — than the criminality of candidates; and (3) the “candidate effectiveness” hypothesis argues that candidates with criminal records are viable in elections because they possess qualities which, under certain conditions, make them better suited to run in elections than non-criminals candidates (Vohra, 1993; Berenschot, 2008; Verma, 2005; Weinstein, 2008; Vaishnav, 2011*b*; Aidt, Golden and Tiwari, 2011; Dutta and Gupta, 2012). Criminals running for elected office in India are “competent candidates” in this limited sense. I explore each of these explanations below, but I contend that only the third can explain why candidates with criminal records win elections at a higher rate than non-criminal candidates.

### 1.2.1 Voter Ignorance

Criminal candidates can win elections if voters do not know that their preferred candidate is a criminal. To see how, consider an extreme example: Assume that in an election, voters care only about candidates’ character, which in this case means whether or not candidates have criminal records, when voting.

Voters prefer non-criminal to criminal candidates, and if they are choosing between two candidates of equivalent character, then their vote choice boils down to a random choice. If voters are fully informed about candidates' criminal past, then they will vote against criminal candidates and vote for non-criminal candidates instead.

Voters, however, tend not to be fully informed about their electoral candidates and issues in an election (Campbell et al., 1960; Achen, 1975; Pande, 2011). Furthermore during the course of a campaign, candidates themselves may disseminate bad information in an attempt to deceive voters to gain an advantage. Voters are no longer fully informed in this election, and as a result, risk voting for a criminal candidate. As the proportion of ignorant voters in the electorate increase, so does the probability that criminal candidates can win. Correspondingly, as the proportion of voters who are fully informed about candidates' criminal past increases, so does the probability that voters will be collectively able to screen out criminal candidates (Besley, 2005).

While the ignorant voter hypothesis explains why candidates with criminal records can win elections — and indeed it is buttressed by the fact that only 35 percent of voters reported that they do know that candidates' criminal histories are publicly available<sup>7</sup> — it does not explain why candidates with criminal charges win at a disproportionate rate compared to non-charged candidates. At best, the ignorant voter hypothesis can only explain why allegedly criminal candidates are *equally* likely to win elections as non-charged candidates. To see why, let us return to the extreme example discussed above. In an election where voters do not have credible information about candidates' criminal past, voters have no way of

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<sup>7</sup>The summary statistics of a national survey conducted by the Association for Democratic Reforms in 2014 were provided to me by via email. For more information about this survey, please visit their website at: <http://adrindia.org/content/adr-daksh-national-voters-survey-0> for more information.

discerning who is a criminal and who is not. Because candidates' criminality is the only issue they care about, voters would be completely indifferent about whom to vote for and thus would cast their vote at random. In this scenario, if all voters are ignorant, we would observe candidates with criminal charges winning elections and they would win at the same rate as non-charged candidates. This logic also holds if we expand voters' decision rule to include more than just candidates' criminal histories. If there is no relationship, on average, between candidates' criminal past and other attributes, such as party affiliation, ideological orientation, and political skill — and if voters are completely ignorant of their candidates' criminal histories — then criminal and non-criminal candidates would win elections at an equal rate.

However, the data show that candidates with criminal charges are *more* likely to win elections than non-charged candidates. This implies at least two things. First, citizens base their voting decisions on more than just the criminal background of candidates; they might also weigh the partisan and ethnic affiliations of candidates, and quite possibly, the ability of candidates to deliver particularistic inducements to vote. Second, candidates with criminal charges are, on average, somehow at an advantage compared to non-charged candidates with respect to these attributes. For example, candidates with criminal charges may be more skilled at intimidating voters or delivering particularistic inducements to vote, or they may be nominated by more highly popular parties than non-charged candidates because they possess resources parties covet. Thus, even if we assume that, all else being equal, voters do not prefer to vote for candidates with criminal records, the fact that candidates with criminal charges win at a higher rate implies that all else is not equal — candidates with criminal charges enjoy some sort of advantage over their non-charged peers.

### 1.2.2 Voter Preferences

Criminal candidates can win elections even if voters are aware of candidates' criminal histories and if voters dislike voting for criminals, all else being equal. Let us now assume that in an election, voters now care about many candidates' traits when voting, such as their partisanship, ideological orientation, ethnicity, and so forth in addition to candidates' character. Logically, the inclusion of these other candidate qualities in voters' decision making model introduces the possibility that fully informed voters could still find themselves voting for a criminal candidate — because they care about other issues instead (Besley, 2005).

At its core, the issue is that voting is a complicated and multi-dimensional process. Because voters are asked to evaluate candidates on multiple dimensions, they may find it rational to vote for criminal candidate because they realize a higher utility, on balance, from voting for one over voting for a non-criminal alternative. For example, suppose that when voting, voters evaluate candidates on two dimensions: Ethnic identity and character. Voters prefer to vote for non-criminal candidates over criminals, and co-ethnic candidates over non co-ethnics. In this election, assume that the ethnicity of candidates is a highly salient issue; so high that some voters prefer to vote for a criminal co-ethnic candidate to a non-criminal, non co-ethnic candidate. Under these conditions, some voters will vote for a criminal candidate as long as they share an ethnic affiliation. In other words, some voters may be willing to incur the psychological cost of voting for a criminal candidate in order to gain the psychological benefit of supporting a co-ethnic in an election. If one ethnic group is numerically dominant within the electorate and if ethnicity is highly salient, then a criminal candidate could conceivably win enough votes to win. Again, note that the victory of a criminal candidate does not mean that voters prefer — or endorse — criminal politicians. Rather, it means that voters care about ethnicity (or some

other issue) more.

Research suggests that in India, voters are willing to support, or vote, for candidates with criminal records because voters might care a great deal about the caste affiliation of candidates (Banerjee and Pande, 2007; Vaishnav, 2011*a*; Chauchard, 2013; Banerjee et al., 2013), and because voters care a great deal about a candidate’s ability to deliver patronage (Chauchard, 2013). These results do not explain why criminal candidates are more likely to win elections, however. The fact that criminal candidates win at a higher rate than non-criminals implies that these candidates are, on average, better at providing some sort of benefit to voters. One type of benefit might be related to the ability of politicians to protect caste groups’ interests like land and dignity; while another type of benefit might be the ability to deliver patronage. In each case, it must be the case that voters know that a criminal candidate is more competent than his non-criminal challenger — at least on these two dimensions. If voters were to view a candidate’s criminal record as a signal of quality and simply assume that criminal candidates are capable of acting in their caste group’s best interest or capable of delivering patronage, then voters risk being bluffed by a truly non-criminal candidate who is merely posing as a criminal during elections.

### 1.2.3 Criminal Effectiveness

A final possibility, according to the extant literature, is that criminal candidates have advantages that allow them to contest elections more effectively than non-criminal candidates. I consider two types of advantages. First, criminal candidates may have the resources and resourcefulness that allows them to win elections at a higher rate. These advantages include financial wealth (money-power) (Vaishnav, 2011*b*; Dutta and Gupta, 2012), the ability to intimidate voters (Weinstein,

2008; Aidt, Golden and Tiwari, 2011), and the ability to engage in illicit campaign techniques (muscle-power) (Vohra, 1993; Verma, 2005). Criminal candidates can use these advantages to win elections even if voters themselves are aware of a candidate's criminal history and are less inclined to vote for criminals, all else being equal. Parties, in turn, are attracted to criminal candidates because they can improve parties' chances at winning the seats criminal candidates are nominated into.

Second, criminal candidates might have cultivated a greater personal vote than non-criminal candidates. These candidates might have set themselves apart from their rivals because of their actions in between elections. Voters might turn to these candidates during elections because of their ability to protect the interests of their caste, or ethnic group (Kohli, 2009; Vaishnav, 2011*a*), deliver patronage (Chauchard, 2013), mediate the relationship between the state and citizens (Berenschot, 2008; Shekhar, 2010), and even act as an alternative form of government (Vohra, 1993; Berenschot, 2008). In short, due to their actions in between elections, criminal candidates have cultivated a personal political base that they can mobilize during elections. Parties are attracted to nominating these candidates in order to obtain the electoral support of these votes, which in competitive elections, can spell the difference between winning and losing.

### **1.3 Political parties and the candidate nomination process**

Missing from most of these explanations is an explicit examination of the role of parties, a puzzling omission given the crucial role parties play in the candidate

nomination process and elections.<sup>8</sup> In India, party leaders decide who can run on their label (Farooqui and Sridharan, 2014), and independent candidates rarely win elections.<sup>9</sup> Party leaders might be attracted to criminal candidates because they are good at winning elections, yet even this simple answer is not without its own set of complications. First and foremost, it is far from certain that criminal candidates are more effective at contesting elections than non-criminals: Criminal candidates might be winning more often because parties shield them from competition by nominating them into safe seats.

Second, even if one were to concede that criminals are more skilled at contesting elections than non-criminal candidates, it is far from certain that parties would respond by nominating. Parties might refrain from nominating criminals if doing so excessively damages parties' reputations, or impairs their ability to improve the effectiveness of their organizations as a whole. In short, nominating criminal candidates can help or hurt a party in two different ways: They can impact parties' chances of winning the seats criminals are nominated into, and they can impact parties' performance as a whole polity-wide.

In this dissertation, I examine why parties nominate candidates with criminal records by focusing on the logic of their candidate nomination processes. Political parties are complicated organizations that choose among a variety of strategies to achieve whatever goal (or goals) they care about. Take, for instance, their desire to maximize the number of seats they win in an election. Parties can pursue this goal in a variety of ways. They can cultivate votes by using the levers of government to deliver policy related benefits to voters, thus bolstering their policy based reputations; they can perform constituency service and help citizens navigate

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<sup>8</sup>Aidt, Golden and Tiwari (2011) and Vaishnav (2011*b*) are notable exceptions I address in the Conclusion of this dissertation.

<sup>9</sup>Of all of the winning candidates in state level election between 1993 and 2013, less than three percent ran as independents. Based on author's own calculations.



the bureaucracy, for example, in a bid to boost their popularity; and they can directly mobilize voters during elections using either legitimate or illicit means. Being able to effectively and efficiently pursue any one of these strategies requires resources and the appropriate personnel, thus underscoring the importance of recruiting highly competent party members.

One important, and perhaps most visible, resource for parties are their electoral candidates. For each of the strategies listed above, electoral candidates can play an important role: Candidates who win their elections go on to become elected members of the legislative or executive branch, thus giving them influence over the levers of government; candidates can help parties engage in the collective endeavor of performing constituency service by exerting effort toward its effective delivery; and candidates can spearhead voter mobilization efforts during elections and bring their skills, assets, and personal vote earning attributes to bear to help their parties win. In this way, candidates can help parties win elections because: (a) they can increase parties' capacity to deliver party-centric benefits to voters; and (b) they can directly increase parties' vote-share in the electoral constituencies they are nominated into because of their own efforts and personal vote earning attributes.

With this partition of candidates' attributes in mind, it is important to note that candidates differ with regards to the degree to which they help parties on each front. For the sake of simplicity, I assume that there are two types of candidates: I label those who are primarily skilled at building parties' organizational capacity as "party-capacity builders"; and I label those who are primarily skilled at generating vote-share in the constituencies they are nominated into as "vote-generators". Their specific comparative advantages aside, the value these candidates can bring to parties is conditional the competitiveness of the electoral constituencies candidates

are nominated into.

Parties can maximize the benefit they realize from nominating vote-generating candidates if they are nominated into constituencies where elections are close — when the addition of a few votes can change their outcome. When parties are competing in their opponents' stronghold (one where it does not expect to win a seat or seats), or in their own stronghold (one where it expects to do well), nominating vote-generating candidate does not greatly enhance their chances of winning. In competitive constituencies, however, nominating vote-generating candidates can generate the necessary votes to put their party over the top and win seats. For this reason, parties would realize the greatest benefit from nominating vote-generating candidates if they are nominated into competitive electoral constituencies.

Party capacity building candidates differ from vote-generating candidates because party-capacity building candidates' value is not tied to their ability to win the seats they are nominated into. To the contrary, parties' benefit from nominating party capacity building candidates accrues after an election — when these candidates have had the time to devote their skills and resources toward building parties' organizational capacity. For example, the benefit a party realizes from nominating a candidate skilled at navigating the policy making process (assuming the candidate wins) occurs after an election, when the legislature is in session; the benefit a party realizes from nominating a candidate with a talent for fund raising occurs after an election, when the party is actively engaged in fund raising pursuits. Because the utility parties realize from nominating these candidates is not tied to their ability to actually win seats, parties are less likely to nominate them into competitive constituencies and instead, parties will nominate them into safer constituencies.

Bringing it all together, I theorize that parties nominate candidates as

follows: (1) Parties evaluate which seats are safe and which seats are competitive; (2) Parties evaluate their prospective candidates and determine which ones are party builders and which ones are vote generators; (3) Parties nominate vote-generating candidates into competitive seats and nominate party-capacity building candidates into safer seats. With this approach in mind, we can now see that candidates with criminal records might win elections at a disproportionate rate either because of their vote-generating abilities, or because they are nominated into safe seats due to their party capacity building attributes. I adjudicate between these two possibilities in Chapter 4.

## 1.4 Plan of dissertation

This dissertation is organized as follows. In Chapter 2, I develop a theory of candidate nomination parties use when deciding whom to nominate in elections. I argue that parties classify candidates as either being candidates skilled at generating vote-share in the constituencies they are nominated into or skilled at helping a parties build their organizational capacity. I hypothesize that candidates who are primarily skilled at generating vote-share are nominated into competitive constituencies, while candidates with the skills and resources to help build parties' organizational capacities are nominated into safer constituencies.

In Chapter 3, I shift my attention to India and evaluate its institutional environment, the evolution of its party system, the candidate nomination processes used by parties, and evaluate the types of benefits parties might realize from nominating candidates with criminal charges. I argue that India's institutional environment presents parties with multiple incentives with regards to nominating candidates skilled at generating votes versus candidates skilled at building capacity.

These incentives interact with the party system, which features a politically fragmented environment where parties lack the organizational capacity and credibility to compete on the basis of their party label. As a result, I argue that parties in India have a high demand for vote-generating candidates and that candidates with criminal records are likely to be vote-generating candidates.

Chapter 4 examines whether candidates who have been charged with committing violent crimes are disproportionately nominated into safe or competitive constituencies. Using state level electoral data, combined with candidate affidavit data, from 22 state level elections between 2003 and 2007, I find that parties that failed to win their prior constituency election are more likely to nominate candidates with violent charges when elections are competitive. Furthermore, I find that parties nominating allegedly violent criminal candidates into competitive races are more likely to win. These findings support the hypothesis that criminal candidates are particularly skilled at generating vote-share for parties.

Chapter 5 examines if parties nominate candidates with violent criminal charges because they are wealthier than their non-charged counterparts. If this were true, then I would expect parties to nominate their wealthiest candidates into their most competitive electoral constituencies. In this chapter I find that they do not. Parties disproportionately nominate their wealthiest candidates into their safest seats, thus shielding them from electoral competition. This finding suggests that money — or at the very least the politicians who have money — are used by parties to achieve goals beyond winning seats. It also implies that wealth alone does not lead to winning seats; otherwise a rational seat-maximizing party would nominate its wealthiest candidates into the most competitive seats.

Chapter 6 examines if parties face any downstream consequences from nominating candidates with violent criminal charges. In particular, I test if Members

of Parliament (MPs) with violent criminal charges attend office less often than non-charged politicians. I use a regression discontinuity design to compare the attendance rate of allegedly violent criminal and non-criminal MPs elected in the 2004 or 2009 national elections. Using this approach, I find that MPs with violent criminal charges attend office less often than their non-charged peers. I interpret this as evidence that these MPs have the luxury of bucking pressure from party leadership to attend office. This finding suggests that parties face a difficult choice when they are nominating electoral candidates. They can either nominate a criminal candidate who enhances their prospects for winning a seat (but not attend office as often) or they can nominate a non-criminal candidate who may be a better agent in parliament, but is less likely to win.

In Chapter 7, I summarize the key findings and implications from this dissertation and present some concluding thoughts.

## Chapter 2

# Party Goals, Candidate Types, and the Candidate Nomination Process

### 2.1 Introduction

One of the most important decisions parties make is who to nominate as electoral candidates. Understanding the logic underlying this process is important for three reasons: First, it helps us understand what candidate attributes parties value and the type of electoral strategies parties might use during elections; second, electoral candidates are the public face a political party (Katz, 2001); and third, electoral candidates can go on to have long careers in politics and government thus giving them the ability to impact the wellbeing of citizens on a wide scale (Katz, 2001). Parties' candidates today can be the political class of a polity tomorrow.

The topic of the type of politicians produced by democracies is an important topic in political science as evidenced by the burgeoning literature on: hereditary

politicians (Chhibber, 2011; Smith, 2012), businessmen politicians (Della Porta and Vannucci, 1999; Gehlbach, Sonin and Zhuravskaya, 2010), criminal politicians,<sup>1</sup> and the overall ability of elections to select highly competent and honest electoral candidates (Caselli and Morelli, 2004; Besley, 2005; Galasso and Nannicini, 2011). Understanding why parties nominate different types of candidate requires us to understand why and how parties nominate candidates in general. What do parties look for in prospective candidates? What role do candidates play during elections and within the party itself? What goals do parties have and how do they pursue them?

The extant literature on the candidate nomination process can be divided into three categories (Field and Siavelis, 2008): (a) the classification and identification of specific features of candidate nomination processes (Rahat, 2007); (b) how political and institutional features of democratic competition influence specific features of the candidate nomination process (Lundell, 2004; Shugart, Valdini and Suominen, 2005; Hazan and Voerman, 2006; Barnea and Rahat, 2007); and (c) how the degree to which the candidate selection process is democratized influences party cohesion and the strength of party leaders (Rahat and Hazan, 2001; Katz, 2001; Hopkin, 2001; Pennings and Hazan, 2001; Shomer, 2009; Cordero and Coller, 2014).

In this dissertation, I conceptualize parties' candidate nomination process as a resource allocation procedure where parties distribute different types of candidates across different types of electoral constituencies in an attempt to realize multiple goals: In this case the goals of maximizing the number of seats they win in the current

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<sup>1</sup>In March 2002 the Supreme Court of India ruled that all candidates running for public office must file affidavits with the Election Commission of India and disclose, publicly, whether they have ever been charged with committing a crime; the statute number they are accused of violating; and the value of their financial assets and liabilities. The release of these data has catalyzed a research agenda devoted to understanding why candidates with criminal records are present in India (Paul, Samuel, Vivekananda, 2004; Aidt, Golden and Tiwari, 2011; Vaishnav, 2011c; Dutta and Gupta, 2012).

election and increasing their organizational capacity in order to win future elections. To that end, I argue that parties evaluate potential candidates on two dimensions: (a) the degree to which they help parties win specific electoral constituencies; and (b) the degree to which they help parties further build their organizational capacity. After parties have evaluated candidates on these two dimensions, they then decide whether or not to nominate candidates into competitive or safe constituencies. Candidates are nominated according to the following decision rule: Candidates who are especially skilled at generating votes are nominated into competitive constituencies; candidates who are especially skilled at helping parties build their organizational capacity, but only when these candidates win, are nominated into safe constituencies; and candidates who are especially skilled at helping parties build their organizational capacity, win or lose, are nominated into constituencies where parties expect to fare poorly.

This chapter proceeds as follows. In section 2, I present an overview of parties' goals and how candidates can help parties achieve them, and I classify candidates as either being vote-generating or party capacity building candidates. In section 3, I present my candidate nomination theory and I generate the hypotheses that are tested later in this dissertation: Vote-generating candidates are nominated into competitive constituencies while party capacity building candidates are nominated into uncompetitive constituencies. Section 4 concludes.



## 2.2 Party goals, elections, and electoral candidates

Political parties are complicated organizations engaging in a variety of activities to pursue their goal of winning elections.<sup>2</sup> Parties cultivate political supporters using a variety of strategies that are executed during elections and in between them. For instance, parties can use their position in government to deliver programmatic or non-programmatic policy benefits to voters (Stokes, Susan C et al., 2013). Moving away from the halls of government, parties can also court voters by performing constituency service (Fenno, 1978; Cain, Ferejohn and Fiorina, 1987); and during elections parties can directly mobilize voters using licit or illicit means (Nichter, 2008; Aidt, Golden and Tiwari, 2011; Stokes, Susan C et al., 2013). Successfully executing any one of these strategies requires resources and the appropriate personnel to execute them (Shugart, Pekkanen and Krauss, 2013).

One important source of resources and personnel are parties' electoral candidates, who can help parties pursue these strategies in a variety of ways. Borrowing from V.O. Key's formulation of the three faces of parties (Key, 1964), we can think of electoral candidates as operating in three spaces: Candidates in the government, candidates in the electorate, and candidates in the party organization. Electoral candidates can help parties court voters through their actions as elected public officials, through their ability to perform constituency service, through their ability to mobilize voters during elections, and through the effort and resources they

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<sup>2</sup>Scholars differ on how they characterize the goal, or goals, parties pursue. For example, Downs (1957) views parties as organizations solely interested in maximizing the number of votes they win in order to win elections, while Strom (1990); Strøm and Müller (1999) argue that parties pursue multiple goals and make tradeoffs with respect to winning office, maximizing votes, and enacting policies. In this dissertation, I assume parties are office seeking entities that can achieve that goal using a variety of strategies. Incorporating other party goals would serve to complicate the argument, but not derail its basic point: Some electoral candidates are better than others in helping parties pursue a given strategy or goal.

bring to bear to help increase parties' organizational capacity as a whole. Though parties can benefit from nominating candidates who are skilled at performing any one of these roles, the nature of these benefits differ depending on the type of role being performed. Some candidates' roles offer parties an immediate electoral benefit in the form of increased vote-share in the constituencies they are nominated into (vote-generating attributes); while other candidates' roles offer parties an indirect electoral benefit, often accruing in the future, in the form of a more effective and credible party organization (party capacity building candidates).

### **2.2.1 Candidates in the government**

Electoral candidates who win their elections go on to become public officials in the legislative or executive branches of government and are thus in a position to advance their parties' political agenda. Some parties may prefer to pursue programmatic policies, while in other contexts, they may prefer to pursue non-programmatic and clientelistic strategies instead. Irrespective of the type of policies parties choose to formulate, parties seek to use the levers of government to deliver policy related benefits to their supporters (Cox and McCubbins, 1986; Lindbeck and Weibull, 1987; Dixit and Londregan, 1996). To that end, elected officials are tasked with several responsibilities including, but not limited to: Formulating and reviewing policies, engaging in executive oversight, and overseeing government programs in their home electoral constituencies (Searing, 1994; Strøm, 1997; Keefer and Khemani, 2009).

By nominating candidates who are highly competent at navigating the policy making process, parties hope to increase their reputation for delivering policy benefits and governing effectively. It is important to note, however, that the chances a single candidate can improve parties' reputation in this manner is conditional on

several factors beyond his or her control, such as: (a) whether a candidate wins his or her election; (b) whether a candidate's party wins enough seats to have some sort of control over the legislative or executive branches of government; (c) whether a candidate has any influence over the policy making process; (d) whether other party members co-operate and assist a candidate in his or her quest to improve a party's policy making reputation; (e) whether voters believe that a candidate can influence a party's ability to govern well. Because of these uncertainties, and because effective government agents help parties after an election when they are in office, I contend that parties realize an indirect benefit from nominating these candidates, especially in polities where voters heavily discount parties' promises to deliver policy related benefits.

### **2.2.2 Candidates in the electorate**

Candidates can help parties win elections through their actions in the electorate in two ways. First, candidates can help bolster their parties' reputations by performing constituency service. These actions can include helping citizens navigate the state bureaucracy (case work) (Fenno, 1978; Cain, Ferejohn and Fiorina, 1987; Golden, 2003); or by helping parties deliver private goods such as money, shelter, legal assistance, and job opportunities to their core supporters (Erie, 1988; Troustine, 2008). Similar to the policy-centric strategies discussed above, parties perform constituency service in between elections with the hope that voters will reward them later come election time. In this way parties realize an indirect electoral benefit when they nominating candidates who are skilled at performing constituency service.

On the other hand, if candidates have already cultivated a constituency service related personal vote, then parties could realize an immediate benefit

from nominating highly popular candidates during elections. With regards to constituency service, both parties and candidates can reap electoral benefits from its effective delivery. Parties can cultivate a stronger party vote, while candidates can cultivate a stronger personal vote. The fact that candidates can cultivate a personal political base by engaging in constituency service implies that these candidates can give parties a direct and immediate electoral benefit by mobilizing their supporters.

A second way candidates can help parties through their actions in the electorate is by directly mobilizing voters during elections. Candidates with a particular talent for mobilizing voters can help their parties win elections by ensuring that their core supporters turn out to vote or by persuading opposition voters to change their vote choice (Cox, 2006; Nichter, 2008). In developing democracies, these mobilization efforts can include illicit techniques such as engaging in clientelistic exchanges with voters, buying votes, or intimidating voters (Kitschelt and Wilkinson, 2007; Nichter, 2008; Aidt, Golden and Tiwari, 2011). What both licit and illicit tactics have in common, however, is that parties realize an immediate benefit from nominating candidates who can perform these roles well because they can increase parties' vote-share in the constituencies they are nominated into.

### **2.2.3 Candidates in the party organization**

The third space electoral candidates operate in is within the party organization itself. Electoral candidates can contribute their own man-power, talents, and resources to the collective cause of strengthening their parties' organizational capacity. Take, for example, fund-raising: Candidates can be an excellent source of campaign financing and they can contribute their own personal resources or engage in fund-raising efforts that can be used to finance other elections (Ramseyer

and Rosenbluth, 1993; Gowda and Sridharan, 2012; Powell, 2013). Prospective candidates can also help parties in the field by directing their constituency service efforts to improve parties' ability to help citizens. Party members who are effective agents within the party may be nominated as electoral candidates by party leaders as a reward for their loyal service, and they may be nominated to signal to other party members that loyalty will be rewarded (Shekhar, 2010). Parties seeking to use their candidate nominations in this manner do not necessarily realize an immediate electoral benefit — loyal party workers are not necessarily effective at mobilizing voters, nor are these candidates necessarily highly popular — instead, parties realize an indirect electoral benefit taking the form of a stronger and more effective party organization in future elections.

#### **2.2.4 Candidate types**

In reality, candidates are capable of performing multiple roles for parties and thus possess both vote-generating and party-capacity building attributes. Candidates might differ from one another based on their comparative advantage in performing one type of role over another. Some candidates' strengths may lie in their ability to generate votes, while for others it lies in their ability to help parties build their organizational capacity. For the sake of simplicity, I assume that there are two types of candidates. I label candidates who have a comparative advantage in generating votes as vote-generating candidates; nominating these candidates can give parties an immediate electoral benefit. I label candidates who have a comparative advantage in helping parties build their organizational capacity as party capacity building candidates; nominating these candidates can give parties an indirect electoral benefit, which often accrues in the future.

## 2.3 Theory of candidate nomination

I now turn my attention to understanding parties' logic when nominating their electoral candidates. In particular, I seek to understand how a constituency's electoral competitiveness influences parties' decision to nominate a vote-generating over a party capacity building candidate, or vice-versa, in that seat. In order to explore this issue, I adopt the following framework making these assumptions: (a) Parties contest elections under a first past the post (FPTP) electoral rule. (b) Parties act as rational, utility maximizing, unitary actors. (c) Parties classify their prospective candidates as being either vote-generating or party capacity building candidates. (d) Parties determine which seats are safe, competitive, or hopelessly lost. (e) Parties nominate candidates in an attempt to maximize their own utility, which is a function of winning seats in the current election and building their organizational capacity and reputation in order to win future elections.

I assume that parties as act as rational, utility maximizing, unitary actors. This assumption implies that parties' candidate nomination processes are fully centralized and that the final decision on whom to nominate rests with senior party leaders. With this assumption in place, I can argue that parties nominate candidates with an eye toward maximizing their own well-being, and perhaps more crucially, I can infer why a given candidate was nominated. For example, if a candidate was nominated into a competitive constituency, it is because he or she is a vote-generating candidate; if highly wealthy candidates are disproportionately nominated into safe electoral constituencies, it is because they have the skills and resources to help parties build their organizational capacity.

In reality, parties differ on how centralized their candidate nomination processes are and it is important to evaluate if these differences influences parties' logic when nominating candidates (Lundell, 2004; Field and Siavelis, 2008). Though I re-

tain the assumption that parties' candidate nominate processes are fully centralized, I contend that parties that have a fully decentralized candidate nomination process will still nominate vote-generating candidates into competitive seats, but that they might not nominate party capacity building candidates into safer constituencies.

To see why, let us assume that local party officials care about both winning a seat and fulfilling their other objectives, whatever they may be. In competitive electoral constituencies, the incentives of local officials are aligned with the party as a whole: Both care about winning the seat. In this scenario, local officials have an incentive to nominate the candidate who can maximize their chances of winning an election.

In safe electoral constituencies, where victory is more or less assured for parties, the incentives of local officials and the party as a whole are no longer aligned. In these situations, local officials will seek to nominate candidates who maximize their own well-being. For example, if these officials care about maximizing their influence over policy, then they have an incentive to nominate candidates who are skilled at navigating the policy-making process; if local officials care about extracting rents, then they have an incentive to nominate candidates who are skilled at extracting and distributing rents. The key point to note is that local officials will nominate candidates according to fulfilling their own interests, which might diverge with their party's.

With this discussion in place, I now turn my attention back to the candidate nomination process itself. I contend that the first step in the candidate selection process involves the determination by party leaders if a given candidate is a vote-generating or party capacity building candidate. This classification is important because parties can realize a benefit from nominating either type of candidate for different reasons. Vote-generating candidates can increase parties' vote-share in

the electoral constituencies they are nominated into and therefore help parties win those seats. The marginal benefit parties realize from nominating vote-generating candidates is thus a function of both: (a) the ability of these candidates to generate votes; and (b) the competitive position of parties in a constituency-election. Parties that are contesting elections in constituencies where they have very few supporters would require an exceptionally talented vote-generating candidate in order to win, while parties that are contesting elections in constituencies where they have a large number of supporters do not require a very talented vote-generating candidate in order to win — they can rely on their numerically dominant position instead.

Party capacity building candidates, on the other hand, do not help parties win a seat in the current election because they do not increase parties' vote-share. Instead, these candidates are valuable to parties because they help parties increase their organizational capacity, which can help them win future elections. Some of these benefits are realized by parties only if their candidates are elected into office, while at other times, parties realize these benefits irrespective of whether their candidate wins or loses. I discuss the implications of these possibilities later.

Because the marginal utility of vote-generating candidates for parties is related to their competitive position in electoral constituencies, the next step in the candidate nomination process involves party leaders determining the competitive landscape of every electoral constituency. There are three types of electoral constituencies: Safe constituencies are those where parties expect to win by a large margin; hopelessly lost constituencies are those where parties expect to lose by a large margin; and competitive constituencies are those where parties expect win or lose by a small margin. Put differently, we can imagine that parties are evaluating which constituencies they can win due to the strength of their party-vote alone and which ones they cannot. In some constituencies, the probability of winning (or

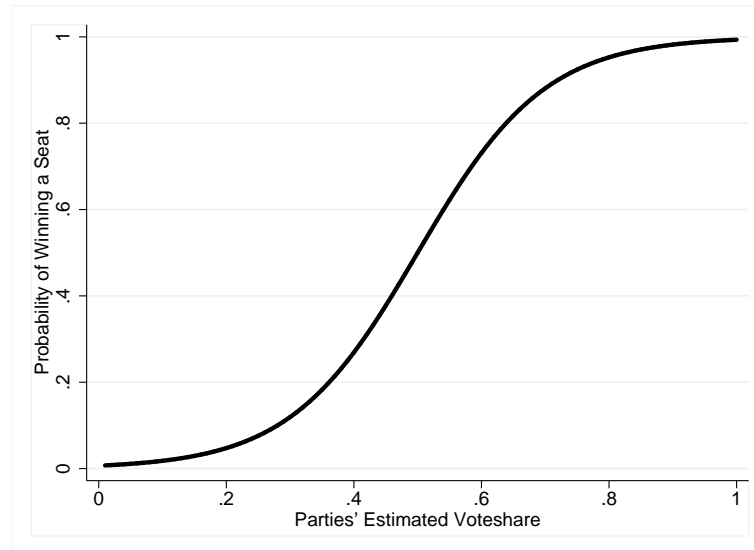


losing) a seat is high and parties' candidate choice will make a very small impact on an election's outcome; in other constituencies, parties' choice of candidate can spell the difference between winning and losing.

There are two features of the first past the post (FPTP) electoral rule that bear directly on the relative value parties place on vote-generating candidates relative to party-capacity building candidates. First, there is an "S" shaped relationship between the level of electoral support parties expect to receive in a constituency and the probability that they actually win (Figure 2.1). This is a mechanical property of the winner take all relationship between seats and votes. Because of this feature, the marginal utility of additional vote-share for parties is conditional on how competitive they expect a seat to be. When parties believe that a given constituency is either hopelessly lost or safe, the impact of additional votes on their probability of winning is relatively small. When a seat is competitive, when parties expect to be near the threshold of victory, additional votes can spell the difference between victory and defeat. Thus the value parties place on the vote-generating attributes of candidates is at its highest when they expect a constituency election to be very close.

The second important feature of FPTP is that votes for the losing party, and surplus votes for the winning party, are essentially wasted because they do not help parties win additional seats. Candidates' votes are not transferred to the party, nor are they transferred to other candidates. Thus, the marginal utility parties derive from winning a few more votes is mainly confined to the impact these votes make on the probability it wins a specific seat, and is essentially zero otherwise.

Figure 2.2 is a stylized graph that represents the marginal benefit parties can realize with respect to its expected competitive position in a constituency. The inverted - U shape of the marginal benefit curve for vote-generating candidates



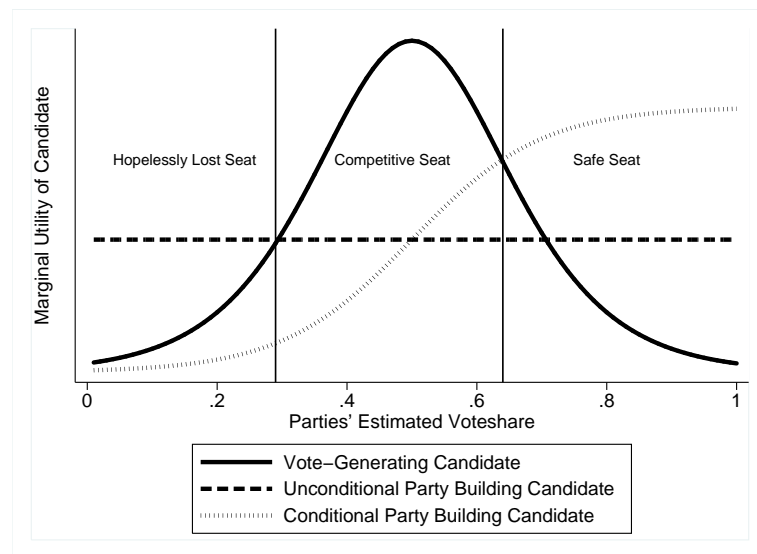
**Figure 2.1:** Relationship between a party's expected vote share and its probability of winning a seat.

reflects the fact that parties for whom additional votes can swing an election in its favor stand to gain the most from nominating these candidates. The inverted-U shape also reflects that the value of these candidates diminishes rather quickly the further a party is from the victory threshold.

The preceding discussion showed that vote-generating candidates' utility to parties is dependent on how well parties expect to perform in a constituency-election. The same holds true for some party capacity building candidates, but not others. In some cases, parties can realize a benefit from nominating these candidates only if they win their elections. For example, parties only benefit from nominating candidates who are skilled at navigating the policy making process if these candidates win their seats and take office. In other cases, parties can realize a benefit from nominating party-capacity building candidates irrespective of winning or losing. For example, candidates who are nominated because of their willingness to exert effort toward improving a party's reputation are beneficial to parties even if they were to lose their election.

Figure 2 displays the relationship between parties' expected performance in an upcoming election and the marginal utility of the different types of candidates they wish to nominate. Let us begin by considering parties' marginal utility of party capacity building candidates who confer a benefit irrespective of the outcome of an election (unconditional party capacity building candidates). In these cases, the utility parties realize is independent of how well they are expected to perform in an election because these benefits accrue to parties, win or lose. Graphically, the relationship between candidates' parties' marginal utility and the expected performance of parties is a horizontal line, where its position on the y-axis corresponds to its marginal utility to parties.

In cases where parties realize a benefit only when their candidate wins (conditional party capacity building candidates), this relationship is different. The marginal utility of these candidates to parties is positively correlated to the probability they win. Parties who are assured of winning a seat would benefit more from nominating these candidates than parties who are assured of losing. Because of the "S" shaped relationship between parties' expected vote-share and the probability they win, the marginal benefit curve for these types of candidates is also "S" shaped. Initially, the marginal utility parties realize from nominating these candidates is low, it begins to rapidly rise the closer they are to winning an election, and is at its highest the more certain parties are of winning.



**Figure 2.2:** Comparing the marginal benefit of nominating different types of candidates.

### 2.3.1 Putting it all together

To recap, parties can choose among three different types of candidates when deciding whom to nominate in elections. Vote-generating candidates can directly help parties win seats because of their ability to increase vote-share in the seats they are nominated into during an election. Party-capacity building candidates, on the other hand, can indirectly help parties win future elections because of their ability to help parties increase their organizational capacity and reputation. There are also two types of party capacity building candidates: Some candidates can help parties whether they win or lose an election; other candidates can help parties only if they win. Because the degree to which these candidates can help parties is conditional on how well parties expect to perform in an election, parties must take into account how close they are to winning or losing a seat when deciding whom to nominate.

Figure 2.2 graphically shows the hypothetical relationship between the marginal utility of vote-generating candidates, conditional party capacity building candidates, and unconditional party capacity building candidates, and how well parties expect to perform in an upcoming, two-party, election. The inverted U shape of the vote-generating curve shows that they are the most valuable to parties when parties are close to winning or losing (i.e. their estimated vote-share is near 50 percent); the “S” shape of the conditional party capacity building curve shows that their value to parties increases with the probability parties win a seat; the unconditional party capacity building curve is horizontal because their value to parties is independent of whether parties win or lose. The most valuable type of candidate for parties to nominate is thus a function of their competitive electoral position.

For parties expecting to fare poorly in an upcoming election (hopelessly

lost), unconditional party capacity building candidates are the most valuable. The marginal impact of additional votes on winning a seat is relatively low, and the fact that these parties are not likely to win this seat means that the relative value of conditional party capacity building candidates is low as well. For this reason, I expect parties to nominate unconditional party capacity building candidates into uncompetitive seats.

For parties that expect to be competitive in an election and be near the threshold of victory (competitive seat), their value for both vote-generating and conditional party capacity building candidates increases. However, parties' marginal utility for vote-generating candidates increases at a faster rate because the probability that a few additional votes can swing the outcome of an election is at its highest when elections are close. For this reason, I expect parties to nominate vote-generating candidates into competitive seats.

For parties competing in constituencies where they expect to win a large majority of votes (safe seats), conditional party capacity building candidates are the most valuable to them. The marginal utility of vote-generating candidates begins to fall the more certain parties are of winning a seat. Their value for conditional party capacity building candidates continues to rise, however, and at some point they become more valuable to parties than vote-generating candidates. For this reason, I expect parties to nominate conditional party capacity building candidates into safe seats.

A final couple of points are in order. First, note that the actual height of the marginal benefit curve is a function of a party's value for winning a particular constituency. If it places a great deal of importance on winning a given seat, then the premium it would place on a candidate's vote generating attributes is so great that it would be willing to tolerate the fact that said candidate actually

harms its ability to achieve other goals. For example, if nominating a candidate (say, with a criminal record) who could swing the outcome of an election means nominating a candidate who damages the party brand, a party would be willing to consider it so long as that cost does not outweigh the marginal benefit of winning a constituency. Second, in very lopsided constituencies where parties have little chance of winning or losing a seat, parties place a premium on the party-building attributes of candidates when deciding whom to nominate. Because a change in vote-share does not make a big difference to the chances parties win or lose a seat, parties would be willing to nominate someone who is especially skilled at helping parties achieve other goals, even if nominating him results in a loss in vote share within the constituency.

Hypotheses:

*H1: Parties that are competing in elections where they expect to lose are more likely to nominate unconditional party capacity building candidates than parties that are competing in competitive or safe elections.*

*H2: Parties that are competing in competitive elections are more likely to nominate vote-generating candidates than parties that are competing in safe constituencies or competing in seats where they expect to lose.*

*H3: Parties that are competing in safe constituencies are more likely to nominate conditional party capacity building candidates than parties that are competing in competitive or hopelessly lost constituencies.*

## 2.4 Conclusion

In this chapter, I presented a model of parties' candidate nomination process. I treat the candidate nomination process as a process parties use to allocate valuable

resources in their quest to achieve multiple objectives; in this case, the goal of maximizing the number of seats they win in the current election, and the goal of building their organizational capacity in order to win future elections. I argued that candidates can help parties in two ways. Candidates can directly help parties by increasing their vote-share in the constituencies they are nominated into in the current election; and candidates can indirectly help parties by increasing their organizational capacity, which can help parties win elections in the future. Parties then nominate electoral candidates according to the following decision rule: Candidates who are skilled at generating votes are nominated into competitive constituencies; candidates who are skilled at helping parties build their organizational capacity are nominated into safe constituencies.

In the following chapter, I apply this theory to India in order to understand why parties nominate candidates with criminal records. By understanding the political logic parties use to nominate candidates, I argue that we can infer why these candidates were nominated. As the next two chapters will argue, parties in India have a high demand for vote-generating candidates; candidates with criminal records have attributes that make them effective at generating votes; and parties are more likely to nominate candidates charged with committing violent crimes into competitive elections.



# Chapter 3

## Why do Parties in India

## Nominate Criminal Politicians?

### 3.1 Introduction

In Chapter 2, I presented a theory describing how parties nominate electoral candidates. I argued that parties begin by classifying prospective candidates as either being vote-generating candidates — candidates with a comparative advantage in increasing parties' vote-share in the constituencies they are nominated into during elections; or party capacity building candidates — candidates with a comparative advantage in helping parties increase their organizational capacity polity-wide. Parties then nominate vote-generating candidates into electoral constituencies that are electorally competitive while nominating party capacity building candidates into safer electoral constituencies.

In this chapter, I begin to apply this theory to India in order to understand why parties nominate candidates with criminal charges, especially violent charges. I begin by examining the following questions: First, how does the institutional

environment and party system in India impact a party's decision to nominate vote-generating candidates? Second, what resource constraints do parties face and how do they acquire the necessary resources to compete? Third, how do parties evaluate and nominate electoral candidates? Fourth, are candidates with criminal records primarily vote-generating candidates or party capacity building candidates?

In this chapter, I argue the following: First, the political and electoral institutions used in India give parties multiple incentives to nominate both vote-generating and party-capacity building candidates. Parties' reliance on non-programmatic modes of competition, coupled with the fact that India's electoral environment has become increasingly uncertain, increases the incentives parties have to nominate vote-generating candidates because parties are unable to make credible, policy oriented, promises to voters. Second, elections in India are expensive and parties are under a great deal of pressure to recruit highly competent candidates who can mobilize voters, finance their own election expenses, and help parties improve their organizational capacity. Third, the candidate nomination process in India is fairly centralized, and as a result, party leaders are largely free to determine the composition of their candidate slates; perhaps more importantly, a centralized candidate nomination process means that the composition of parties' candidates reflects the preferences of party leaders who, presumably, act on the best interests of their parties as a whole. Finally, I hypothesize that candidates with criminal charges in India are mainly vote-generating candidates, and as such, parties are more likely to nominate them into competitive electoral constituencies.

## 3.2 Institutional environment

### 3.2.1 Political and Electoral Institutions

India is a federal parliamentary democracy that uses a first past the post (FPTP) electoral rule at both the state and federal levels of government. The national parliament is bicameral: The first chamber is called the Lok Sabha, and the second chamber is called the Rajya Sabha. The Lok Sabha is a popularly elected body with a maximum term length of five years. Members of the Rajya Sabha are elected by members of the state legislatures for a fixed six year term.<sup>1</sup> The Prime Minister of India is the head of government. As is the case in most parliamentary democracies, the Lok Sabha may call for a vote of no confidence (or “trust vote” as it is called in India) requiring the Prime Minister to demonstrate that he or she is supported by a majority of the Lok Sabha; and the Prime Minister has the power to dissolve the Lok Sabha and call for early elections.<sup>2</sup>

At the state level, the head of government is called the Chief Minister (analogous to the Prime Minister) who also must be able to demonstrate that he or she has the support of a majority of the popularly elected state legislative assembly (Vidhan Sabha). These assemblies are elected for a maximum of five years before new elections are to take place, but elections may be held earlier if the Chief Minister calls for them or is unable to maintain the support of the legislative majority.<sup>3</sup>

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<sup>1</sup>Each member of the Rajya Sabha is elected for six years, but a third of the Rajya Sabha is elected every two years. State legislatures elect their state’s representatives via the Single Transferable Vote.

<sup>2</sup>Strictly speaking, the power to dissolve the Lok Sabha lies with the President of India (the largely ceremonial Head of State) on the advice of the Prime Minister. As a practical matter all dissolution requests by the Prime Minister are honored by the President. The President is elected for a five year term by an electoral college consisting of the Lok Sabha and state legislatures.

<sup>3</sup>Dissolution powers are vested with the Governor of the state who is appointed by the President of India for fixed five year terms. State governments are dissolved by the Governor on the advice of the Chief Minister.

The institutional environment in India presents parties with multiple incentives regarding the types of candidates to nominate in elections. On the one hand, a parliamentary form of government privileges cohesive parties that can efficiently and effectively win elections. This is because the incentives of individual Members of Parliament (MPs) are aligned with that of the party as a whole: To win enough seats in order to be a part of the parliamentary majority and control the government. MPs who are members of the opposition are essentially shut out of government and the policy making process, thus giving them little means to gain any sort of benefit from their position in office. As a result, party members in parliamentary democracies have a strong incentive to delegate a great deal of authority to party leaders — authority that allows these leaders to focus on party building efforts and enforce party discipline (Diermeier and Feddersen, 1998; Shugart, 1998; Carey, 2007). These leaders, in turn, have an incentive to recruit like minded members to the party, loyal individuals willing to toe the party line.

On the other hand, the FPTP electoral rule gives candidates an incentive to cultivate a personal vote (Carey and Shugart, 1995). Candidates contesting elections under these rules, where the candidate with the most votes in an electoral constituency wins, can either highlight their party, or highlight their own personal traits and characteristics. In cases where a party is unpopular, candidates may find it rational to highlight their own personal reputation at the expense of their party's. In this way, the pathway for electoral success for candidates is to pursue a strategy where they can claim credit and burnish their own credentials. While such candidates may be more reluctant to toe the party line, party leaders — particularly those whose parties do not have a credible reputation for delivering policy related benefits to voters— may be tempted to nominate candidates who have cultivated a personal vote.

### 3.2.2 Party System

India's institutional structure gives parties multiple incentives about the types of candidates to nominate in elections, but what about its party system? Does the level of electoral fragmentation and uncertainty parties face during elections influence their decision to nominate vote-generating candidates? Does the nature of political competition and the ability (or inability) of parties to make credible programmatic promises to voters correlate with their decision to nominate vote-generating candidates?

I begin by noting a key difference between vote-generating and party building candidates. Parties realize a direct and immediate benefit from nominating vote-generating candidates, whereas the benefits of nominating party capacity building candidates are more uncertain and often accrue in the future. Unlike vote-generating candidates, party building candidates do not help parties increase their electoral performance through their actions during elections in the short term. Instead, they help parties improve their organizational capacity after them.<sup>4</sup> In this vein, the decision to nominate vote-generating candidates is similar to the decision politicians face between building their programmatic reputations with voters or relying on patron client relationships to reach voters during elections (Keefer and Vlaicu, 2008): Parties are choosing between realizing an immediate and narrow political benefit versus realizing uncertain political benefits that accrue in the future.

With this in mind, I contend that parties' demand for vote-generating candidates in India is positively correlated with the level of electoral uncertainty

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<sup>4</sup>For example, candidates that show promise in the policy making arena can help increase their party's reputation for delivering programmatic benefits to voters by formulating good policies. However, parties will realize the electoral benefit from nominating these types of candidates in the future after their efforts in government bear fruit. The same type of logic applies to candidates who have access to a lucrative network of political donors. The benefit parties realize from nominating these candidates only materialize after they have received these funds and used them to finance their operations.

and political fragmentation they face during elections; and it is also positively correlated with parties' reliance on non-programmatic modes of political competition. As the following discussion will show, parties in India have always had a demand for vote-generating candidates, and this demand has only grown over time alongside the increasing fragmentation of India's party system, the overall increase in the level of electoral competitiveness parties face, and the increasing reliance of parties to engage in patronage and sectarian based strategies to win elections.

India's party system has witnessed a whole-scale transformation from one dominated by a single party to a fragmented party system where coalition governments tends to be the rule, rather than the exception. In the period immediately following independence, the Indian National Congress (Congress Party) was the dominant political force in India. Between 1952 — the first set of elections after India gained independence in 1947 — and 1967, the Congress Party won every national (and the majority of state) elections (Corbridge and Harriss, 2000; Chhibber, 2001; Guha, 2007). Due to the disproportionate results commonly associated with the first past the post electoral rule, the electoral dominance of the Congress Party far overshadowed their actual popularity among voters. They never accrued more than 48 percent of the national popular vote during this period, and only garnered 41 percent of the popular vote in the 1967 elections; while its seat-share varied between 54 percent (in 1967) and 75 percent (in 1957).<sup>5</sup>

The Congress Party owed its early success to two factors: (1) the prestige and popularity of its leadership, such as India's first Prime Minister Jawaharal Nehru, who played visible and important roles during India's freedom movement (Guha, 2007; Kochanek, 2010); and (2) the use of intermediaries and patron-client

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<sup>5</sup>The Election Commission of India produces election reports after nearly every election. These figures are taken from these reports, which can be found at: [http://eci.nic.in/eci\\_main1/ElectionStatistics.aspx](http://eci.nic.in/eci_main1/ElectionStatistics.aspx)

relationships. The latter, dubbed “the Congress System”, consisted of a series of intricate, clientelistic, relationships between the Congress Party, regional elites (such as industrialists and wealthy landlords), and voters (Kothari, 1964; Corbridge and Harriss, 2000). In exchange for valuable policy concessions and access to state generated rents, the Congress Party expected these elites to mobilize voters within their ambit. Regional elites and the Congress Party mobilized voters through the use of clientelistic networks called “vote banks,” where elites and candidates from the Congress Party would empower prominent members of a village, usually wealthy landowners, to distribute particularistic benefits to voters in exchange for their votes (Srinivas, 1955; Breeding, 2011).

Voters thus supported the Congress Party because of their admiration for its senior leaders, because they received private inducements to vote, or both. The Congress Party mobilized voters indirectly, through the use of regional elites who acted on behalf of the Congress Party in exchange for policy favors. Missing from this conception is a direct, policy based, connection between voters and the Congress Party. Candidates for the Congress Party owed their electoral successes to the public image of their senior leaders and candidates’ ability to mobilize vote banks. Less clear is whether they owed their electoral success to the policy based reputation of the Congress Party as a whole.

In the late 1960s, after the death of Jawarahal Nehru and other senior party leaders, this became an important issue. The electorally dominant position of the Congress Party began to erode. The Congress Party failed to win a majority of seats in eight states in the 1967 elections, winning 283 out of 520 seats in the national elections, and underwent a fierce leadership struggle between Indira Gandhi (daughter of Jawarahal Nehru) and other senior Congress Party leaders (Corbridge and Harriss, 2000). Faced with the prospect of running on a party label whose

leadership no longer held the privileged position it once had in the hearts and minds of voters, many Congress Parties' candidates turned to agents in the local black market in order to finance their elections and hold onto power (Kochanek, 2010). In exchange for these resources, politicians shielded these criminal agents from state scrutiny, thus allowing them to acquire even greater amounts of illicit wealth, which in turn were used by parties during election time (Kochanek, 2010).

Over time as the Congress Party's dominant position eroded further, and the party system at large began to fragment. Regional and caste based parties began to play a larger role in politics, and the Bharatiya Janata Party (BJP) became the Congress Party's new national level rival. This trend began in the 1970s, but accelerated sharply in the 1990s after the implementation of economic reforms and aggressive, caste-centric, affirmative action policies (Chhibber, 2001). Thus, while the early era of Indian politics was marked by single party rule at both the central and most state level governments, the 1990s saw the rise of coalition governments nearly everywhere.

This increase in political competition was not accompanied by a strengthening of party organizations (Kohli, 2009; Chhibber, Jensenius and Suryanarayan, 2012). To the contrary, political parties in India revolved around charismatic leaders, lacked internal democracy, and lacked the capacity to formulate policies and recruit candidates (Hasan, 2010). As a result, parties had the ability to directly appeal to voters, but they lacked the capacity to make credible programmatic promises (Kohli, 2009). Instead, they relied on clientelism (Wilkinson, 2007), vote banks (Breeding, 2011), and the use of sectarian cues (Wilkinson, 2006; Chandra, 2004) to win elections. The result of these dynamics was an increase in the competitiveness and cost of elections, and to what Atul Kohli describes as the "deinstitutionalization" of the party system in India (Kohli, 2009). It is against this backdrop that parties



demand the resources (money, networks, skills, and supply of candidates) that criminal networks (and individuals with criminal charges) could provide and that criminals themselves saw an opening to enter politics directly (Kochanek, 2010).

### 3.3 Campaign finance and nomination

Political parties in India are mysterious, largely autocratic entities that revolve around charismatic leaders (Hasan, 2010); little is known about how they operate, how they recruit candidates, and how they acquire financing.<sup>6</sup> The autocratic nature of parties — and in particular with regards to the nomination of candidates and the allocation of party leadership posts — has undermined party cohesion in many instances, as elites dissatisfied with the limited prospects for upward mobility created rival parties (Chandra, 2004). This dynamic does little to quell the fragmentation of the party system, nor does it contribute to its institutionalization at large.

Two party functions that bear directly on this dissertation are the financing of party operations and the nomination of candidates. The former determines the degree to which parties have a demand for money, moneyed candidates, and candidates skilled at contesting elections; while the latter determines when and where parties nominate them. In cases where parties' demand for financing is especially acute, parties may seek candidates who can finance their own elections (Vaishnav, 2011*b*; Gowda and Sridharan, 2012), and prioritize candidates' ability to

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<sup>6</sup>There is little systematic knowledge regarding precisely how parties nominate candidates, owing to the fact that India lacks primary elections and parties operate more or less as black boxes. An exception to this trend is found in Farooqui and Sridharan (2014); these authors interviewed party leaders and other notables from the Indian National Congress (Congress Party), the Bharatiya Janata Party (BJP), the Communist Party of India (Marxist) (CPI(M)), the Bahujan Samaj Party (BSP), and the Samajwadi Party (SP) about the candidate nomination process used in the 2004 and 2009 national elections.

mobilize voters over other attributes. Correspondingly, if parties are well financed, then they may place a greater priority on nominating candidates who can serve other political purposes, such as formulating policies, governing, or engaging in other party building activities. How parties finance themselves shapes their demand for moneyed and criminal candidates; the political logic driving parties' nomination process shapes whether or not these candidates are nominated.

### 3.3.1 Party Financing

Contesting elections in India is expensive. According to the Election Commission of India, parties spent an average of 70-100 million Rupees (then 2 million U.S. dollars) to win a seat in the 2009 elections (Merchant, 2011; Gowda and Sridharan, 2012).<sup>7</sup> The sheer magnitude of these costs, coupled with the fact that elections themselves have become competitive, has increased the pressure parties face to raise money for elections and other party building activities. Where does this money come from?

Parties have traditionally raised money from membership dues and private financing (Sridharan, 1999; Gowda and Sridharan, 2012). The latter, it should be noted, is often from wealthy individuals who are evading taxes and looking for political favors. The concern over the presence of “black money” — income that is not taxed, or income that is generated via illicit means — has spawned several government investigations and reforms.<sup>8</sup> Though the entire history of campaign finance reform efforts in India is not the focus of this chapter, it is important

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<sup>7</sup>According to the Vital Statistics on Congress project, a joint effort from the Brookings Institute and the American Enterprise Institute, winning parties spent an average of 1.6 million USD for each seat. Please refer to <http://www.brookings.edu/research/reports/2013/07/vital-statistics-congress-mann-ornstein> for more details.

<sup>8</sup>Please refer to Section II in (Gowda and Sridharan, 2012) for an overview about the evolution of party election financing in India.

to note that complicated campaign finance laws, a byzantine income tax regime, and increasing election expenses has created a dynamic where “black money” is demanded by political elites and supplied by wealthy elites. Parties have a high demand for funds because there are few legitimate sources for money; and wealthy individuals have a supply of untaxed and illicit income waiting to be used for other, more profitable, purposes.

Parties in power are at a decided advantage compared to those in the opposition with regards to attracting this wealth. Ruling parties at both the federal and state levels of government are in a position to sell policy favors to moneyed interests (Sridharan, 1999; Kochanek, 2010; Gowda and Sridharan, 2012). This behavior was especially common during the “permit quota license raj” era in India when the Congress Party was dominant: Wealthy elites, and those representing corporate interests, would often “purchase” permits and licenses from a state that wielded enormous influence over the economy. The economic reforms of the late 1980s reduced the presence of the state in the economy to a large extent, but the basic contours of this rent-seeking arrangement remain unchanged (Gowda and Sridharan, 2012).

Realizing these aforementioned rents requires parties to be in government. As political competition has become increasingly fragmented and competitive, the likelihood that a given party could reliably be in office declined as well. In principle, this increase in political uncertainty means that parties are under greater pressure to raise money from sources that are not dependent on ruling the state. One such source of financing can come from individual candidates, and indeed, parties do seek out candidates who can fund their own election expenses (Vaishnav, 2011*b*; Gowda and Sridharan, 2012). Candidates are willing to undertake the expense of running for office in order to access the rent-extracting opportunities that are present

to elected representatives, such as the ability to direct patronage to supporters (Chandra, 2004), and using their position in public office to extract rents from the private sector such as the construction industry (Kapur and Vaishnav, 2011), and sugar industry in Maharashtra (Sukhtankar, 2012). In the most extreme case, parties may simply sell their nominations to electoral candidates (Farooqui and Sridharan, 2014).

### 3.3.2 Candidate nomination process

Parties need highly competent candidates who are able to help them win seats and build their organizational capacity, but how do parties nominate them? Do party leaders have sole discretion on whom to nominate? Do they face any restrictions? The ability to infer why parties nominate certain types of candidates rests on the idea that the distribution of candidates polity-wide reflects the preferences of party leaders, which in turn, reflects the type of value candidates can bring to parties.

If party leaders do not have the final say over the candidate nomination process, then the distribution of candidates may no longer reflect the preferences of party leaders. Instead, it now incorporates the preferences and bargaining power of other agents. In India, however, the candidate nomination process is centralized. For all major parties, the final decision on whom to nominate lies with their central leadership, and they often override local party officials on whom to nominate in a constituency (Farooqui and Sridharan, 2014). Furthermore, there is no geographic residency requirement, so parties are free to nominate candidates into a constituency even if they do not reside there.<sup>9</sup> Finally, being an incumbent does not guarantee that a candidate will retain that seat in the next elections, because parties routinely

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<sup>9</sup>In the 2014 national elections, the presumptive Prime Ministerial candidates for the Aam Aadmi Party, the BJP, and the Congress Party all contested elections in constituencies they did not reside in.

deselect incumbents as candidates (Farooqui and Sridharan, 2014). Combined, these factors suggest that party leaders have the authority to nominate whatever candidate they see fit, and to create a slate of candidates that maximizes the benefits the party realizes as a whole.

In India, the most important candidate attribute is “winnability” — the ability of a candidate to garner enough votes to win the constituency he or she is nominated into (Farooqui and Sridharan, 2014). Depending on the region of India an election is being contested in, and the party in question, a candidate’s winnability is highly correlated with caste. Parties carefully examine the caste composition and alliance structure of an electoral constituency and then choose a candidate belonging to a numerically and strategically important caste group (Farooqui and Sridharan, 2014).<sup>10</sup> Choosing a candidate wisely on the caste dimension might lead to a party garnering a substantial share of that community’s vote. Another trait associated with winnability is money: Parties have a high demand for candidates that can finance their own election expenditures (Vaishnav, 2011*b*; Gowda and Sridharan, 2012).

In addition to the winnability dimension, parties also care about other candidate traits, though they vary in what they value. Kochanek (1968) argues that Chief Ministers desire candidates who will stay loyal to them while the legislature is in session, because of the possibility that co-partisans may defect and form splinter groups. Personal and partisan loyalty is most likely still an important attribute given the fact that the head of a party’s organizational and legislative wings are often in conflict with another and that party splits and defections are common (Bohlken, 2010).

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<sup>10</sup>Though caste is an important consideration, it is not the case that explicitly caste-centric parties like the BSP or the SP only nominate candidates belonging to their core constituency group. It is quite common for these parties to choose candidate that belong to a swing caste or identity group such as a Muslim, Brahmin, etc.

In addition to ascertaining the personal loyalties of candidates, parties and party leaders also take into consideration the level of loyalty candidates have demonstrated toward the party as a whole. The Communist Party of India (Marxist), for example, evaluates prospective candidates on the amount of party work they have done: Party members who have invested effort in building the party organization are more likely to be nominated. The BJP, on the other hand, gives preference to party members who have demonstrated loyalty toward Hindu nationalism and its associated policies (Farooqui and Sridharan, 2014).

To summarize, I contend that parties in India care about two types of candidate attributes. The first is related to constituency level concerns centering on whether or not nominating a candidate enhances their electoral prospects in a constituency. The second is a residual category consisting of concerns that are independent to a party's electoral prospects in a constituency. These concerns relate to the degree to which a candidate can serve the other interests of a party or party leaders. Some of these considerations are directly related to loyalty to a party's platform, to party building (the Communist Parties), to maximizing the number of seats a party wins in an election (caste-balance of the SP and the BSP), and personal loyalty to party leadership. Given that it is possible that these two considerations could come in to conflict — a winnable candidate might not be a loyal one — parties have to prioritize their demands for winnable candidates and those who can serve other purposes.

### **3.4 Criminals as competent candidates**

Candidates with criminal charges in India win elections at a disproportionate rate compared to non-charged candidates. As discussed thus far, there are two

potential reasons as to why this is the case. On the one hand, candidates with criminal charges might be more skilled at generating vote-share than non-charged candidates; as a result, parties nominate these candidates into competitive electoral constituencies. On the other hand, candidates with criminal charges might be better able to help parties build their organizational capacity than non-charged criminals; as a result, parties nominate charged candidates into safer electoral constituencies. Given these dual possibilities, it is important to ask: Are candidates with criminal charges primarily vote-generating candidates or party capacity building candidates?

I contend that candidates with criminal records are primarily vote-generators. Compared to non-charged candidates, these candidates have the capacity to increase their party's vote-share during elections. These assets include financial wealth, the ability to engage in illicit campaigning activities, and the ability to cultivate a personal political following.

### **3.4.1 Examples of candidates with criminal records**

Before delving into these issues, it is important to draw a distinction between “criminals” as a theoretical construct and its empirical operationalization. As a theoretical construct, the term “criminal” refers to individuals associated with committing illegal activities. Qualitative and journalistic examinations of the criminalization of Indian politics implicitly define criminals as individuals who are engaged in black market activities, engaged in organized criminal activities, engaged in violent political struggles, or all of the above (Vohra, 1993; Verma, 2005; Berenschot, 2008; Weinstein, 2008; Kohli, 2009).

Empirical examinations of criminality in Indian elections, and in this dissertation, identify criminal candidates as individuals who have declared that they are either currently under criminal indictment or have been in the past (Paul, Samuel,

Vivekananda, 2004; Vaishnav, 2011c; Aidt, Golden and Tiwari, 2011; Dutta and Gupta, 2012) These charges themselves may, or may not, be related to corruption, violence, organized crime etc. Furthermore, not all individuals who are actually criminals are charged with committing these crimes, and not all individuals who are charged with committing a crime are members of mafias, criminal gangs, or engaged in corruption.

In this dissertation I assume that: (a) individuals charged with committing a crime are more likely to be associated with illegal activities; and (b) all else being equal, voters would prefer to vote for candidates who do not have a criminal charge filed against them. If voters are fully informed about a candidate's background, and if they are presented with a choice between supporting otherwise identical candidates, voters would rather support the candidate without a criminal charge. With these two assumptions in place, I argue that the possession of a criminal charge is costly to candidates' reputation: Even if they are wrongfully accused of committing a crime, they have to exert effort during the electoral campaign to refute it. As a result, I posit that candidates with criminal records are successful despite the presence of a criminal charge and not because of it. The central puzzle thus revolves around understanding why candidates with criminal records are electorally successful. Do they have the capacity to overcome the initial stigma of having a criminal record and increase a party's vote share? Or, are they more likely to be nominated into safe electoral constituencies and thus shielded from electoral competition? To that end, I present the following three examples illustrating the relationship between a candidate's criminal record, their association with illegal activities, and the types of benefits they can bring to parties.

Example: Brijesh Singh

Mr. Singh is a vote-generating candidate whose ability to generate votes is



tied to the assets he accumulated while engaging in organized crime. According to journalistic accounts, Mr. Singh is a feared “mafia don” with a history of engaging in illegal activities related to coal mining, scrap disposal, and extortion (Srivastava, 2012). During Mr. Singh’s tenure in organized crime, he amassed both a lengthy police record and a large amount of financial assets. Mr. Singh has been charged with committing nearly 40 crimes, including the mass murder of 13 people in 1994 and several murders for hire (Srivastava, 2012). As of 2012, Mr. Singh had accumulated nearly 2 million USD worth of financial assets, making him one of the wealthiest candidates to run for office in the 2012 state elections in Uttar Pradesh.<sup>11</sup>

After being arrested several times, Mr. Singh ran for office for the first time in 2012 (Times, N.d.). Despite his lack of experience, lengthy rap sheet, and the fact that he was nominated by a relatively minor party in Uttar Pradesh, Mr. Singh barely lost his election losing by roughly one percentage point. Presumably, Mr. Singh’s extensive wealth proved to be an electorally valuable resource, as is the possibility that he cultivated a “Robin Hood” image among voters — something other criminal politicians are known to possess (Singh, 2014).

Example: Ghanshyam Anuragi<sup>12</sup>

Mr. Anuragi is a vote-generating candidate whose ability to generate votes is tied to his personal reputation for representing and protecting the caste community’s interests. According to Mr. Anuragi, both his political career and criminal record began with his decision to testify against an upper class landowner charged with rape. This decision sparked a series of conflicts with local elites — some of whom who had political clout — that resulted in Mr. Anuragi being charged with committing

<sup>11</sup>For more details about Mr. Singh’s criminal history and financial details, please visit the Association for Democratic Reforms. [http://www.myneta.info/up2012/candidate.php?candidate\\_id=991](http://www.myneta.info/up2012/candidate.php?candidate_id=991)

<sup>12</sup>The information contained in this summary is found in Bhartia (2012) and online at: [http://archive.tehelka.com/story\\_main51.asp?filename=Ne030312Badlands.asp](http://archive.tehelka.com/story_main51.asp?filename=Ne030312Badlands.asp)

a murder (charges which were later dropped) and almost being murdered. At the time, it was rare for individuals belonging to a lower class or lesser caste to testify against members of the elite group. By agreeing to testify, and by paying a rather large price for doing so, this decision gave Mr. Anuragi the reputation of being a person willing to protect the interests of his community, in this case poor farmers belonging to a Scheduled Caste.

Mr. Anuragi was able to leverage his enhanced reputation among voters to become the elected leader of his village council in 1995. He climbed the local level political ladder and then competed in the 2004 Lok Sabha elections, which he lost, before prevailing in 2009. In his telling, Mr. Anuragi's political success is not due to the fact that his fellow citizens look favorably upon his being charged with committing a crime, but rather because of his demonstrated ability to battle local elites and protect his group's interests.

Example: L.K. Advani

Mr. Advani is a party capacity building candidate whose criminal charges are related to politically motivated actions and his prominent position in his party. Mr. Advani is a senior party leader of the Hindu nationalist, Bharatiya Janata Party. In 1990, he spearheaded a public campaign calling for the destruction of the Babri Masjid (a mosque), which was allegedly built on the ruins of an ancient Hindu temple in Ayodhya, Uttar Pradesh (Corbridge and Harriss, 2000; pages 129-30). This public campaign eventually led to a riot in 1992 that resulted in the destruction of the Babri Masjid. For his alleged role in this riot, which ultimately catapulted the BJP into national prominence, Mr. Advani was charged with inciting a riot and “promoting enmity between different groups on the grounds of religion, race” —charges he publicly denies.<sup>13</sup>

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<sup>13</sup>For more details about Mr. Advani's criminal and financial histories, please visit the Association for Democratic Reforms. [http://www.myneta.info/ls2014/candidate.php?candidate\\_id=4596](http://www.myneta.info/ls2014/candidate.php?candidate_id=4596)

Since the destruction of the mosque, Mr. Advani went on to serve as India's Home Minister and Deputy Prime Minister while the BJP was in power at the central government between 1999 and 2004; and has continually won a seat in the national parliament through the most recent 2014 elections. To what extent is his political success related to his criminal record? On the one hand, one could argue that being tied to the 1992 riots might bolster his image among Hindu nationalists, thus allowing him to generate votes for the BJP during elections. On the other hand, his presence might alienate moderate or secular Hindus, and non-Hindus alike, thus making him a liability to the BJP in some constituencies. I contend that Mr. Advani's participation in the destruction of the Babri Masjid is a signal of his importance to the BJP; by spearheading the Hindu nationalist movement (albeit through violent means), Mr. Advani was able to increase his party's popularity among Hindu nationalists polity-wide, and hence increase the strength of his party as a whole.

### **3.4.2 Benefits of nominating criminal candidates**

I now turn my attention to assessing whether or not candidates with criminal records as a whole are primarily skilled at generating votes for parties or primarily skilled at helping parties build their organizational capacity. Broadly speaking, there are two types of evidence I examine. Qualitative evidence focuses on the role an actor, or a group of actors, who are involved in black market activities, organized crime, and activities related to political violence play in the political system. These studies and reports argue that parties are attracted to criminals because of their access to money, and their ability to engage in illicit campaigning activities, including intimidating voters. In these studies, a criminal is anyone who has engaged in the aforementioned activities, irrespective of whether or not they

have ever been charged with committing a crime.

Quantitative studies seeking to corroborate these qualitative studies are concerned with whether or not candidates charged with committing a crime are representative of the criminal actors the qualitative literature focuses on. These studies find evidence that criminal candidates are wealthier than non-charged candidates (Vaishnav, 2011*b*; Dutta and Gupta, 2012), that these candidates win elections at a higher rate than non-charged candidates (Paul, Samuel, Vivekananda, 2004; Vaishnav, 2011*b*; Aidt, Golden and Tiwari, 2011), and that they might depress turnout in the constituencies they are nominated into (Aidt, Golden and Tiwari, 2011).

Political parties are under great pressure to find sources of financing in order to fund their operations (Gowda and Sridharan, 2012). As a result, political parties are attracted to wealthy individuals who can finance their own elections (Gowda and Sridharan, 2012; Vaishnav, 2011*b*), even if these individuals are associated with illegal and criminal activities (Vohra, 1993; Berenschot, 2008). The fact that candidates with criminal charges are wealthier than non-charged candidates (Vaishnav, 2011*b*; Dutta and Gupta, 2012) implies that they can spend more money during elections; they can parlay their financial advantage into financing legitimate campaign activities. That is to say, candidates with criminal charges might use their financial wealth to win elections — not by engaging in illegal activities — but by more effectively mobilizing voters using conventional means. In this way, we can think of wealth as a vote-generating asset, and as such, we can think of wealthy candidates as being vote-generators.

On the other hand, there are two reasons why wealthy individuals might be better thought of as being party capacity building candidates. First, parties might be able to redistribute candidates' wealth to finance other elections and

party operations in general. Parties might be keen on reaching such an agreement if electoral success requires more than just wealth; other skills might be required such as the ability to organize campaign activities, mobilize voters, and even engage in illicit activities like vote-buying or voter intimidation. As a result, nominating a wealthy candidate into a competitive constituency might be risky for parties, if this candidate does not also have the other necessary skills to compete effectively and win elections. In exchange for redistributing a candidate's wealth, party leaders could nominate wealthy candidates into safer electoral constituencies.

Second, candidate wealth might be correlated with the possession of other resources and skills parties find valuable. For instance, wealthy candidates might also have wealthy allies, and as such, they could be a valuable conduit for parties to a lucrative donor network. Wealthy candidates are also more likely to be senior party leaders (Fisman, Schulz and Vig, N.d.; Bhavnani, 2012). If this is the case, then parties would nominate a wealthy candidate not because of his or her skill at generating votes, but because they have the ability to help parties build their organizational capacity. Thus, if candidates with criminal records are vote-generating candidates, then they would have to possess more than just wealth to be attractive to parties.

It is possible, if not likely, that criminal candidates win elections because they engage in illicit techniques — such as resorting to acts of political violence (muscle-power). These activities include intimidating voters (Aidt, Golden and Tiwari, 2011), intimidating opponents (Vohra, 1993; Berenschot, 2008), engaging in ballot box stuffing (Seshan, 1995; Verma, 2005); and inciting sectarian violence (Weinstein, 2008). Taken together, criminal candidates are attractive to parties because they can directly mobilize voters to increase parties' vote-share in the constituencies they are nominated into. This makes them attractive candidates to

parties — especially if voters polity-wide do not punish parties harshly for resorting to their use.

Criminal candidates might be more skilled at mobilizing voters because they are better at cultivating a personal vote than non-criminal candidates. Here, I focus on the ability of politicians to cultivate a personal political following due to their activities and actions on behalf of voters in between elections, such as protecting group interests in areas where caste conflict is salient, efficiently targeting private goods and government benefits (such as patronage) to voters, and by mediating transactions between citizens and the state.

The ability of criminals to cultivate a political base lies in their position in the local political economy. In an ethnographic study, Berenschot (2008) finds that criminals and local politicians coexist in a criminal-political nexus. In this nexus, 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 to mobilize voters. He also finds that criminal gangs and local big-men are used by citizens 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). The criminal-political nexus thus acts as a self-perpetuating cycle: Criminals acquire rents and political influence due to their close relationship with political officials; they use these resources in order influence political outcomes; and then leverage their influential position in order to acquire more rents.

A second way criminals can cultivate a personal vote is by establishing a reputation for having the ability to physically protect voters. In areas of the country where the rule of law is weak, and where violent conflicts over land and caste related issues are common, voters turn to individuals (or local elites) who

have a demonstrated ability to protect local interests like land, physical security, and dignity (Kohli, 2009; Vaishnav, 2011*a*). Because caste and land related conflicts have a history of being violent, individuals who are effective at protecting these interests might be more likely to have picked up a criminal charge in their past.

However, in order for this account to hold politically, voters must have knowledge about the capacity of these candidates to protect group interests. If voters are willing to vote for criminal candidates without this knowledge, then they leave themselves vulnerable to voting for candidates who merely pose as criminals without receiving any sort of benefit. Thus, given that the ability to protect group interests is constrained by geography, and that the reputation for being able to protect group interests is similarly constrained, the ability of criminal candidates to garner votes based on their reputation for protection is constrained as well.

Third, and related to protection, voters may benefit materially from voting for a criminal candidate, especially if they share a caste affiliation. Chauchard (2013) finds that despite the fact that voters dislike criminal candidates, voters are willing to vote for them because voters value the receipt of targeted goods more. Voters believe that they are more likely to receive targeted goods from criminal candidates sharing a caste affiliation compared to a non-criminal candidates belonging to a rival caste group. As a result, it is possible for candidates with criminal charges to win elections.

It is important to note that support for criminal candidates is conditional not only on caste *per se*, but on the ability of these candidates to *credibly* deliver targeted benefits. If criminal candidates cannot establish their credibility with voters, then voters would not vote for criminal candidates. To the extent that the ability to deliver particularistic benefits to voters is constrained by the resources to do so, parties' benefit for nominating criminal candidates is constrained to a

particular geographical area.

Finally, criminals can cultivate a personal vote is by mediating the relationship between citizens and the state. Middlemen, as they are called, are used by citizens in India when dealing with the state (Oldenburg, 1987; Manor, 2000; Khanna and Johnston, 2007; Bussell, 2012). Khanna and Johnston (2007) argue that middlemen are popular with citizens because they reduce transaction costs, namely due to their ability to engage in corrupt acts like bribery. In this vein, it is possible that criminal candidates can parlay their penchant for violence and breaking the law into becoming effective middlemen for voters who transact with a corrupt and ineffectual state.

Mediation is also a form of constituency service. An examination of the internal party organization of a large party in India finds that mediating the relationship between the state and voters is an important responsibility for young party workers, and a key determinant of future success (Shekhar, 2010). Furthermore, picking up criminal charges is often seen as a badge of honor and a sign of quality to political bosses, which also increases the probability of advancement within the party (Shekhar, 2010). Thus, voters may be willing to vote for criminal candidates because they are good mediators, and being an effective mediator may be correlated with having a criminal record of some kind.

The opposite is not true, however: Candidates with criminal records are not necessarily good mediators. Thus, rational voters would only vote for a criminal candidate on the basis of his or her mediation skills if they were aware of said candidate's reputation. Absent of this, voters risk being bluffed by candidates that pose as a criminal candidate who, in actuality, have no ability to deliver benefits to voters.



### 3.4.3 Costs of nominating a criminal outside of a constituency

Nominating criminal candidates might be risky for parties, however. Voters, by and large, dislike voting for criminal candidates (Dutta and Gupta, 2012; Chauchard, 2013). Voters might vote for criminals because they are compensated for the psychological cost they incur from supporting criminal candidates. Voters residing within constituencies where criminals are contesting, but who do not stand to benefit from voting for one, are faced with the prospect of incurring this cost without any sort of compensation. As a result, these voters would be less likely to vote for a criminal candidate and perhaps refrain from voting at all.<sup>14</sup>

This decision is also faced by voters residing in constituencies where no criminals are running for office, but where at least one party has a reputation for nominating candidates that they (voters) find distasteful. Again, unless these voters are particularly attached to a party, or believe that it will yield some sort of benefit, parties risk losing the support of voters even if they (parties) nominated non-criminal candidates in a given constituency.

Moving beyond these theoretical considerations, there has been increasing public pressure in India for reforms that reduce corruption and criminality in politics. Middle class voters in urban areas, for example, are weary of criminals in the public sphere.<sup>15</sup> A vibrant reformist community, representing middle class interests, has been pressuring political officials and the judiciary into adopting reforms aimed at decreasing corruption and increasing the quality of governance. These efforts include pressuring Parliament to pass anti-corruption legislation (Sitapati, 2011; Banerjee, 2011); the use of public interest litigation (PIL) to force politicians to

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<sup>14</sup>An implication of this line of thought is that turnout will be lower in constituencies where criminals are contesting office. Aidt, Golden and Tiwari (2011) find that in the 2004 Lok Sabha elections, turnout is indeed lower.

<sup>15</sup><http://latitude.blogs.nytimes.com/2012/02/01/in-indian-politics-crime-pays/>

disclose their criminal and financial histories;<sup>16</sup> expanding the jurisdiction of the Right to Information Act to include the financial background of political parties;<sup>17</sup> and arguing in front of India's Supreme Court to prohibit convicted criminals from contesting elections, even if they are filing an appeal.<sup>18</sup>

To the extent that the quality of parties' candidate slate reflects the competency and integrity of a polity's political class (Caselli and Morelli, 2004), combined with the fact that voters are concerned with the quality of governance in India, suggests that parties do incur at least a small cost to their reputation from nominating criminal candidates. Just how large this cost is tied to the degree to which voters base their voting decisions on the competency and integrity of a party's label.

### **3.4.4 Putting it all together: Criminal candidates as vote-generators**

To summarize, I argue that we can think of candidates with criminal charges as being vote-generating candidates. As such, the utility parties realize from nominating these candidates is directly related to the degree to which nominating them increases their chances of winning the seats criminals are nominated into. The extent to which parties demand vote-generating candidates is directly related to the value they place on winning seats and the underlying competitiveness of electoral constituencies.

Nominating candidates with criminal records might also be costly to parties, at least in principle. Voters do not prefer to vote for criminal candidates, and there is a significant opposition within civil society against their presence in the

<sup>16</sup><http://www.right2info.org/cases/r2i-union-for-civil-liberties-pucl-and-another-v.-union-of-india-and-another>

<sup>17</sup><http://adrindia.org/content/political-parties-come-under-rti-landmark-judgement-cic>

<sup>18</sup><http://www.indianexpress.com/news/supreme-court-bars-convicted-mps-mlas-from-office-after-axing-protection/1140090/>

political arena. As a practical matter, we can think of parties' cost consisting of two dimensions: First, parties risk alienating voters within the electoral constituencies they nominate criminal candidates into; and second, parties risk damaging their reputations polity-wide. With respect to the former, rational parties would only nominate candidates with criminal records if they do not significantly reduce parties' chances of winning specific seats. To that end, parties would be willing to nominate criminal candidates if: (a) their vote-generating attributes outweigh the stigma of having a criminal record, thus allowing them to be a "net-positive" for parties within the constituencies they are nominated into; or (b) parties nominate them into constituencies with a large proportion of loyal and co-partisan voters, thus assuring their victory even if many voters within a constituency are alienated.

With respect to the latter cost, given the widespread use of allegedly criminal candidates by parties across India, it does not seem as if voters penalize parties for the quality of their candidate slate. It is important to note, however, that even if parties were to incur a cost of any kind for nominating candidates with criminal records, they still might nominate them. If the marginal benefit of nominating a candidate with a criminal record outweighs its marginal cost, then nominating a candidate with a criminal record is rational. The marginal benefit of nominating criminal candidates for parties is at its greatest when parties nominate these candidates into competitive constituencies — if candidates with criminal records are primarily vote-generating candidates.

Given the geographic distribution of the benefits and costs parties can realize from nominating candidates with criminal records, I hypothesize that candidates with criminal charges are primarily skilled at increasing parties' vote-share in the constituencies these candidates are nominated into. As a result, I expect parties to nominate candidates with criminal charges into competitive electoral

constituencies.

### 3.5 Conclusion

In this chapter, I applied my theory of candidate selection to India. In particular, I examined whether party leaders in India would be more likely to nominate vote-generating candidates into competitive electoral constituencies, and whether candidates with criminal records are vote-generating candidates. In this chapter, I argued the following: First, the political and electoral institutions used in India give parties multiple incentives to nominate both vote-generating and party-capacity building candidates. Parties' reliance on non-programmatic competition, coupled with the fact that India's political environment has become increasingly uncertain, increases parties' incentives to nominate vote-generating candidates. Second, elections in India are expensive and parties are under a great deal of pressure to recruit highly competent candidates who can mobilize voters, finance their own election expenses, and help parties improve their organizational capacity. Third, the candidate nomination process in India is fairly centralized, and as a result, party leaders are largely free to determine the composition of their candidate slates. Perhaps more importantly, a centralized candidate nomination process means that the composition of parties' candidates reflects the preferences of party leaders who, presumably, act on the best interests of the party as a whole. Finally, I hypothesized that candidates with criminal records in India are mainly vote-generating candidates, and as such, parties are more likely to nominate them into competitive electoral constituencies.

In the next chapter, I test this prediction empirically. I examine state level election data across 22 states between 2003 and 2007 in order to examine whether

parties are more likely to nominate candidates with violent criminal records into competitive electoral constituencies. I also examine whether or not parties who do so are more likely to win their elections conditional on how well they performed in their prior election.

# Chapter 4

## Quality is in the Eye of the Beholder: Electoral Competition and Criminal Candidates in India

### 4.1 Introduction

Why do parties nominate candidates who have the potential to damage parties' reputations? In particular, why do parties in India nominate candidates who have been charged with committing crimes? Between 2003 and 2009 in state level elections in India, about 12.5 percent of all candidates were charged with committing a crime. These candidates comprise a disproportionate share of winning candidates as 20 percent of winning candidates had criminal charges. Candidates with criminal charges are nominated by parties and win at a disproportionate despite rate despite the fact that: (a) voters do not prefer to vote for candidates charged with committing crimes, all else being equal (Banerjee et al., 2013; Chauchard, 2013); and (b) civil society organizations have been actively pursuing reforms

making it more difficult for criminal candidates to become elected officials<sup>1</sup> Given the public resistance to criminal candidates in India, why do parties nominate them? What political function do they serve for parties?

In Chapter 2 of this dissertation, I introduce a theory of candidate nomination that seeks to answer these questions. This theory is particularly applicable to parties competing in polities using the first past the post electoral rule (FPTP), and where senior party leaders make the final decision regarding their parties' slate of candidates — two conditions that apply to India. I assume that party leaders begin the candidate nomination process by evaluating whether candidates are vote-generating candidates or party-capacity building candidates. Parties value vote-generating candidates because they can help parties increase their vote-share within the electoral constituencies these candidates are nominated into, and parties value party-capacity building candidates because they can help parties improve their organizational capacity.

During this time, parties also evaluate the electoral competitiveness of each constituency they wish to contest, classifying constituencies as being safe (seats that parties expect to win), hopelessly lost (seats that parties expect to lose), and competitive (seats that parties are in a position to win, but where victory is not assured). We can think of this as a process where parties determine which constituencies they can win, which constituencies they are likely to lose, and which seats they are in a position to win based off the strength of their reputation alone. In some seats, parties' candidates can change an election's outcome, while in others their choice of candidate might not make much of a difference.

After parties have classified their slate of prospective candidates and the

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<sup>1</sup>These reforms include the Indian Supreme Court ruling in 2003 mandating the use of public disclosure affidavits for all candidates running for elected office (Right2info.org, 2003); and the 2013 ruling that expelled elected officials from office if they have been convicted of committing certain crimes (The Indian Express, July 10, 2013).

electoral competitiveness constituencies, parties nominate candidates based, in part, on the following logic: Vote-generating candidates are nominated into constituencies where a small increase in vote-share can change the election's outcome (competitive seats); party-capacity building candidates, especially those who only benefit parties if they win their elections, are nominated into constituencies where victory is more or less assured (safe seats).

With this logic in place, note that criminal candidates might be winning elections at a disproportionate rate for two different reasons. One possibility is that they are skilled at generating votes and thus win elections despite being nominated into competitive seats. The other possibility is that these candidates help parties in ways extending beyond winning specific seats, and these candidates owe their electoral success to being nominated into constituencies where they face little electoral competition. This chapter aims to adjudicate between these two possibilities.

In Chapter 3, I argue that candidates with criminal records in India have vote-generating attributes and thus can help parties win seats. Candidates associated with criminal activities are wealthier than non-criminal candidates (Vaishnav, 2011*b*; Dutta and Gupta, 2012), they have the capacity to engage in illicit campaign strategies and employ violence (Vohra, 1993; Seshan, 1995; Verma, 2005; Berenschot, 2008; Weinstein, 2008; Aidt, Golden and Tiwari, 2011) and they have the ability to cultivate a personal vote based on their ability to physically protect their ethnic group's interests (Kohli, 2009; Vaishnav, 2011*a*), their ability to deliver particularistic benefits (Vohra, 1993; Chauchard, 2013), and their ability to act as intermediaries between citizens and the state (Vohra, 1993; Berenschot, 2008; Shekhar, 2010). It is not necessarily the case that every allegedly criminal candidate shares all of these advantages, but I contend that in general, candidates with criminal



charges possess at least one of these advantages and that these advantages help them increase parties' vote-share. Because of this comparative advantage in generating vote-share, I hypothesize that parties are more likely to nominate candidates with criminal charges into competitive electoral constituencies.

In this chapter, I empirically test whether candidates with criminal charges are disproportionately nominated into competitive electoral constituencies. In doing so, I adjudicate between the possibilities that candidates with criminal charges win elections at a disproportionate rate because they are skilled at contesting elections or because they are shielded from electoral competition and nominated into safe seats. I analyze state level electoral data, combined with information contained on candidates' affidavits, between 2003 and 2007. Using these data, I examine the relationship between the level of electoral competition parties face in a constituency-election (proxied by their electoral performance in the constituency in the prior election), and the probability that they nominate candidates charged with committing violent crimes.<sup>2</sup>

I also examine if parties that nominate candidates with violent criminal charges are more likely to win. I find the following: (a) parties that face a high level of competition — those that were the closest to winning their prior elections — are the most likely to nominate candidates charged with committing violent crimes; and (b) parties that nominate these candidates into competitive constituencies are more likely to win, even when controlling for candidates' wealth. I interpret these findings as evidence that candidates with violent criminal charges win elections at a disproportionate rate because they are vote-generating candidates.

The chapter proceeds as follows: In section 2, I present the data that are

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<sup>2</sup>I examine why parties nominate candidates charged with committing violent crimes because these crimes carry a greater stigma among voters, which might deter parties from nominating them. Empirical results for candidates who have been charged with committing only non-violent crimes are in the appendix.

used to empirically test my hypothesis; in section 3, I present my estimation strategy and present its results; in section 4, I discuss the implication of these results and section 5 concludes.

## 4.2 Data

In order to examine the relationship between electoral competitiveness and the probability a party nominates a candidate with violent criminal charges, I analyze data from a variety of sources. For the dependent variable, whether a candidate has a violent criminal charge or not, I use data from the self-reported affidavits submitted by all candidates for public office in India. Copies of the original candidate affidavits are posted online at the Election Commission of India's website.<sup>3</sup> These data are digitized and posted online by an NGO, the Liberty Institute of India,<sup>4</sup> and were made available in a dataset by Milan Vaishnav (Vaishnav, 2011*c*).

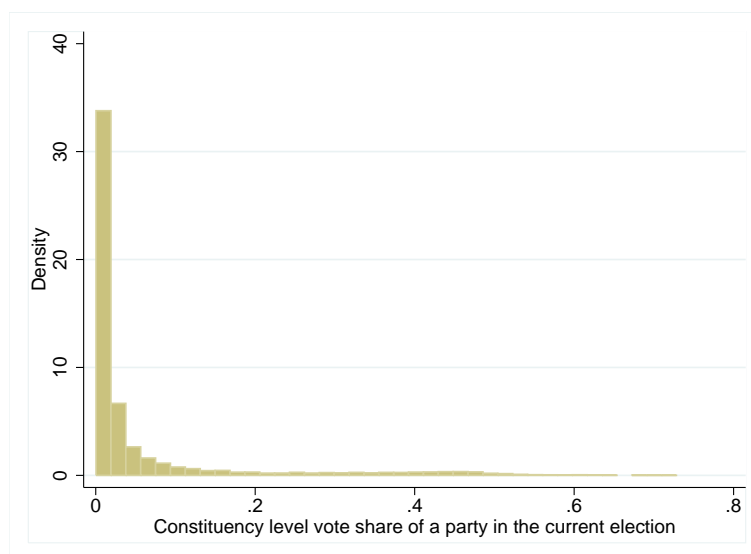
For the independent variables related to the electoral competitiveness of parties, I use state level electoral data for elections that took place between 2003 and 2007. These data are also posted online at the Election Commission of India's website. I choose 2003 as my starting point because data on the criminality of candidates only became available that year; I use 2007 as my ending point because new electoral constituencies were delimited in 2008 across all Indian states. Because I proxy for a party's competitiveness with its prior electoral performance in a constituency, the creation of new electoral boundaries makes it difficult to create this variable for elections taking place after 2007. These data cover 22 elections

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<sup>3</sup>The Election Commission of India posts scanned copies of candidate affidavits and election results on its website at <http://eci.nic.in/>.

<sup>4</sup>The Liberty Institute of India posts information from candidate affidavits online. These affidavit data may be accessed for each individual candidate or via an on-line query. <http://www.empoweringindia.org/new/home.aspx>

across 22 states and 3,300 constituencies, for a total of roughly 18,000 party-constituency observations. Note, that for roughly 8,000 observations, I cannot calculate their prior electoral performance because these parties did not compete in the same constituency in the prior election. These new entrants tend to be small fringe parties that, on average, garnered a vote-share of 5 percentage points (Figure 4.1).



**Figure 4.1:** Distribution of constituency level vote-share of parties competing in an election for the first time. State level elections in India between 2003 and 2007.

### 4.2.1 Dependent Variable

My dependent variable of interest is whether a candidate reports that he/she has ever been charged with committing a violent crime. *Violent* is a binary variable taking the value of one if a candidate reports that he or she has ever been charged with committing a violent crime and is zero otherwise. Candidates are required to disclose in their affidavits the statute number they are charged with violating. Using these statute numbers, the Vaishnav dataset classifies crimes by the chapter

of the Indian Penal Code candidates were accused of violating. Chapter 16 of the Indian Penal Code pertains to “Offenses Affecting the Human Body,” and these offenses include murder, attempted murder, wrongful restraint or confinement, assault, kidnapping, and rape. If a candidate reports that he/she has ever been charged with violating this chapter of the penal code, then they are coded as having a violent criminal charge.

I include this variable because these charges are not the same as politically motivated crimes like bribery, defamation, or unlawful assembly. Of all the possible crimes that candidates could be charged with, the seriousness of these criminal charges makes it more likely that these charges carry with them a stigma among voters. As a result, parties have an incentive to refrain from nominating these candidates, unless they are highly skilled in other ways.

Despite the seriousness of these charges, candidates who have been charged with committing violent crimes constitute 7 percent of the candidate pool and about 13 percent of winning candidates between 2003 and 2007. Of the observations that are included in this analysis (recall that many observations are dropped), 9 percent have been charged with committing a violent crime and 13 percent of winners have as well (Table 4.1).

### **4.2.2 Independent Variables**

The main independent variable(s) of interest pertain to the level of competition parties face in electoral constituencies. Because in FPTP systems each electoral constituency has only one winner, electoral competitiveness is usually thought of as an attribute of the electoral constituency. While there are many determinants of what constitutes a competitive seat, the basic idea is that constituencies are

**Table 4.1:** Summary statistics of selected variables pertaining to parties and candidates in state level elections in India between 2003-2007.

	N	Mean	SD	Min	Max
Violent charge	9529	0.10	0.29	0.00	1.00
Natural log of candidate wealth	9177	12.21	5.21	0.00	20.92
Electoral distance of party in prior election	9529	0.21	0.16	0.00	0.95
Margin of defeat or victory in prior election	9529	-0.13	0.23	-0.82	0.95
Incumbent party	9529	0.31	0.46	0.00	1.00
Constituency level vote share of a party in the current election	17786	0.17	0.19	0.00	0.94

labeled as being competitive if their incumbents are at risk of losing.

When there are only two parties contesting an election this characterization of competitiveness is equivalent to the idea that the challenging party has a relatively high likelihood of unseating the incumbent. In multi-party races, however, the definition of competitiveness must consider both the degree to which an incumbent is at risk of losing and the number of challengers who are in a position to win. Here, the concept of competitiveness is a property of both the constituency and of each party that competes in it.

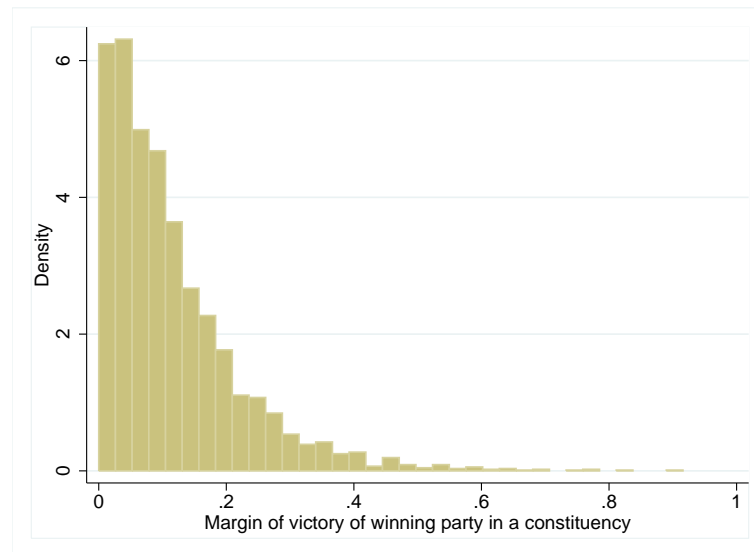
Figure 4.2 presents a histogram of the margin of victory (expressed in percentage points) of winning parties. The average margin of victory is 11.6 percentage points, 56 percent of parties won their seats by less than 10 percentage points, and 16 percent of parties won their seats by more than 20 percentage points. Nearly half of all incumbent parties lost their seats between 2003 and 2007 (Author's calculations), a pattern consistent with the well documented incumbency disadvantage found in India (Linden, 2004; Uppal, 2009).

Note that between 2003 and 2007, the vote-share of parties that won their constituencies in the prior election *decreased* by an average of 5 percentage points. In two-party elections, for example, parties that garnered 55 percent of the popular vote in the prior election (thus winning their election by 10 percentage points) would realize, on average, 50 percent of the vote in their next election. Given this level of electoral volatility, I contend that constituencies that were won by less than 10 percentage points are electorally competitive.

Figure 4.3 presents a histogram of the margin of victory or defeat of all parties in their prior elections. For simplicity, I classify parties based on their competitive position: Parties that have little chance of winning a seat (uncompetitive parties); parties that are very likely to win a seat (relatively dominant parties); and parties

that are in a competitive position to win, but for whom victory or defeat is highly uncertain (competitive parties). I classify a party as being uncompetitive if it lost its prior election by more than 10 percentage points; a competitive party is one that was within 10 percentage points of winning or losing; and a relatively dominant party is one that won their prior election by more than 10 percentage points.

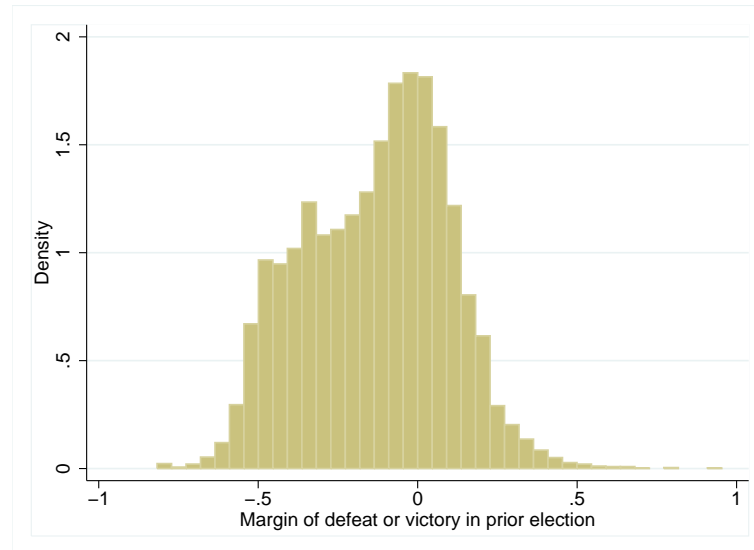
The majority of parties in this sample are uncompetitive (52 percent); 35 percent of parties are competitive; and only 15 percent of parties are relatively dominant. However, as seen in Figure 4.4, criminals are disproportionately nominated by competitive parties.



**Figure 4.2:** Distribution of the margin of victory of parties that won a constituency election in state level elections in India between 2003 and 2007.

In order to create a continuous measure of parties' electoral competitiveness, I create three variables. *Electoral distance* represents how far (in percentage points) parties were from winning or losing in their prior constituency election; *Incumbent party* represents parties that won the constituency in the prior election; and an interaction term *DistanceXIncumbent*.

*Electoral distance* measures the absolute value of the percentage point

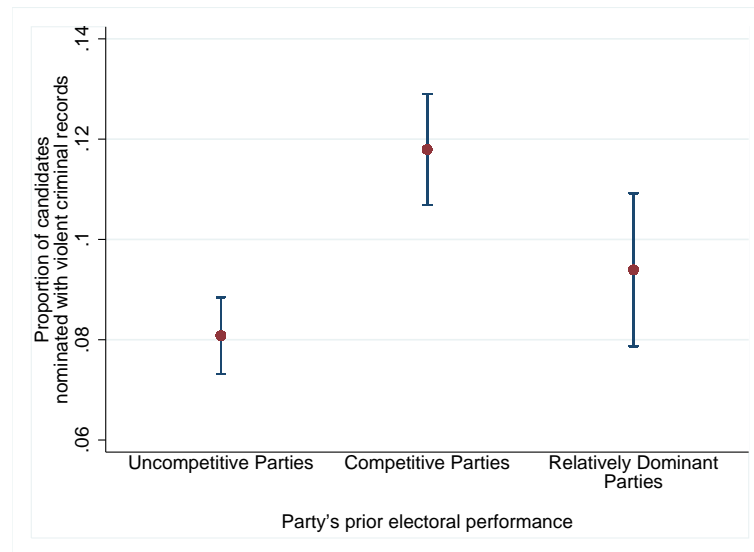


**Figure 4.3:** Distribution of the margin of victory of parties (or defeat) in state level elections in India between 2003 and 2007.

difference a party was from winning or losing a seat in the prior election. For losing parties, this value is calculated by subtracting their vote-share from the vote-share of the winning party. For parties that won their prior election, I subtract the vote-share of the second place party from their vote-share. Increasing values of *Electoral distance* correspond to parties facing a lesser degree of electoral competition because they either lost their prior election by a large margin or won it safely.

*Incumbent party* is a binary variable taking the value of one if a party won its seat in the prior election and is zero otherwise. *A priori*, it is unclear if incumbent parties are more or less likely to nominate criminal candidates. On the one hand, because incumbent parties are more likely to lose their next election, they would be more likely to nominate criminal candidates in order to safeguard their seats (Linden, 2004; Uppal, 2009). On the other hand, if nominating criminal candidates is costly for parties, then parties with the means to contest elections without resorting to their use would be less likely to nominate them. Thus parties with access to state resources may opt to use these resources instead of nominating





**Figure 4.4:** Proportion of candidates with a violent criminal record nominated by parties conditional on their prior electoral performance. State level elections in India, 2003-2007.

Note: Uncompetitive Parties refers to parties that lost their prior election by more than 10 percentage points. Competitive Parties refers to parties that were within 10 percentage points of winning or losing. Relatively Dominant Parties refers to parties that won their prior election by more than 10 percentage points.

candidates with violent criminal records.

*DistanceXIncumbent* is an interaction variable that is calculated by multiplying parties' electoral distance and their incumbency status. Because *Incumbent party* is dichotomous, *DistanceXIncumbent* is zero for non-incumbent parties and is positive for incumbent parties. I include this variable to control for the fact that the relationship between competitiveness and parties' decision to nominate criminal candidates might be asymmetric across incumbent and non-incumbent parties.

### 4.3 Analysis and Results

I use a probit model to examine the relationship between a party's competitive position in an electoral constituency and the probability it nominates a candidate charged with committing a violent crime. The dependent variable is binary denoting whether a party nominates a candidate with a violent criminal charge. I proxy for a party's competitive position with the variable *Electoral distance*. I also include the dichotomous variable *Incumbent Party* to control for whether or not a party won its seat in the prior election. In order to test if incumbent parties behave differently than non-incumbent parties with respect to their decision to nominate charged candidates, I include an interaction term (*DistanceXIncumbent*), which is obtained by multiplying the dummy variable for incumbency with a party's electoral distance.

Thus, I estimate the following equation:

$$\begin{aligned} Pr(Violent_{i,c,s} == 1) = & N(\beta_0 + \beta_1 * Electoral\_Distance_{i,c,s} \\ & + \beta_2 * Incumbent\_Party_{i,c,s} + \beta_3 * DistanceXIncumbent_{i,c,s} \\ & + \epsilon_{c,s}) \end{aligned}$$

where *Violent* represents whether party *i* nominated a candidate charged with committing a violent crime in constituency *c* and state *s*; *Electoral distance* is how far party *i* was from winning or losing constituency *c* in its prior election; *Incumbent party* is whether party *i* is the incumbent party in constituency *c*. *N* represents the link function, which in this case is the cumulative density function of the standard normal distribution. Standard errors are clustered at the constituency level.

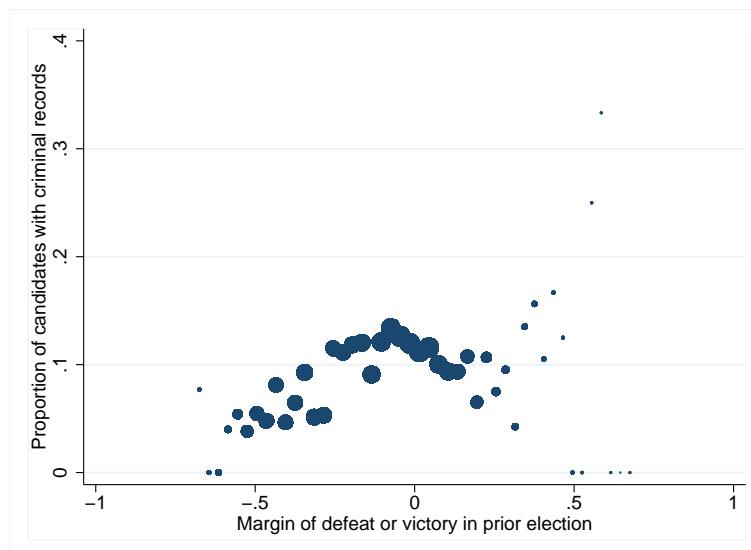
Party level and state level fixed effects are also included in order to control for any unobserved party level and state level characteristics that may influence a party's decision to nominate candidates who have been charged with committing violent crimes.

### 4.3.1 Results

Figure 4.5 is a binned scatter-plot graphing the relationship between the proportion of candidates who have a violent criminal charge and the electoral performance of the parties that nominated them in the prior election. Here, the x-axis is divided into discrete bins that have a width of 3 percentage points and corresponds to parties' margin of victory (or defeat) in the prior election. The position of each dot on the y-axis represents the proportion of candidates within that bin with a violent criminal charge, and the size of each dot is proportional to the total number of candidates nominated.<sup>5</sup> If competition deters parties from nominating criminals, then the scatter-plot will resemble a "valley": The most competitive parties (those whose prior margin of victory or defeat is near zero) will have a lower proportion of candidates with a violent criminal charge. If electoral competition is positively associated with the nomination of criminals, then the scatter-plot will resemble a "mountain": Uncompetitive parties and relatively dominant parties will have nominated very few charged candidates, and the scatter-plot would peak around zero. As seen here, there seems to be a positive relationship between competition and criminality. Parties that were close to winning their prior election nominate more candidates with violent charges than parties that either lost, or won, their prior race by a wide margin.

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<sup>5</sup>The dependent variable is a binary variable which makes a scatter plot of the raw data impossible.



**Figure 4.5:** Relationship between the proportion of candidates with criminal records and the margin of victory or defeat of the parties that nominate them. State level elections in India, 2003-2007.

Note: The width of each bin is 3 percentage points. Each dot corresponds to the proportion of candidates within the bin that have been charged with committing a violent crime. The size of each dot is proportional to the number of candidates within the bin.

Table 4.2 presents the results of a probit analysis that examines this relationship parametrically. A negative coefficient on the variable, *Electoral distance*, would indicate that parties that lost their prior election by a wide margin are less likely to nominate charged candidates, which means that parties that were closer to winning their previous race are more likely to nominate them. The coefficient on the dummy variable, *Incumbent party*, indicates whether or not incumbent parties are more (or less) likely to nominate charged candidates; and the coefficient on the interaction variable, *DistanceXIncumbent*, indicates whether the relationship between competitiveness and the propensity to nominate candidates charged with committing violent crimes is different for parties that won their prior election than for parties that lost it.

Table 4.2 shows that there is a positive relationship between competition

**Table 4.2:** Probit analysis of the probability that a party nominates a candidate charged with a violent crime conditional on its prior electoral performance. State level elections in India, 2003-2007.

	(1)	(2)	(3)
Violent charge			
Electoral distance of party in prior election	-1.125*** (0.135)	-1.195*** (0.148)	-1.079*** (0.171)
Incumbent party	-0.173*** (0.0580)	-0.160*** (0.0611)	-0.125** (0.0608)
Incumbent party X Electoral distance	0.911*** (0.337)	1.306*** (0.355)	1.319*** (0.365)
Constant	-1.072*** (0.0374)	-1.455*** (0.0981)	-1.566*** (0.375)
State FX	No	Yes	Yes
Party FX	No	No	Yes
Pseudo $R^2$	0.012	0.050	0.075
Observations	9529	9177	8853

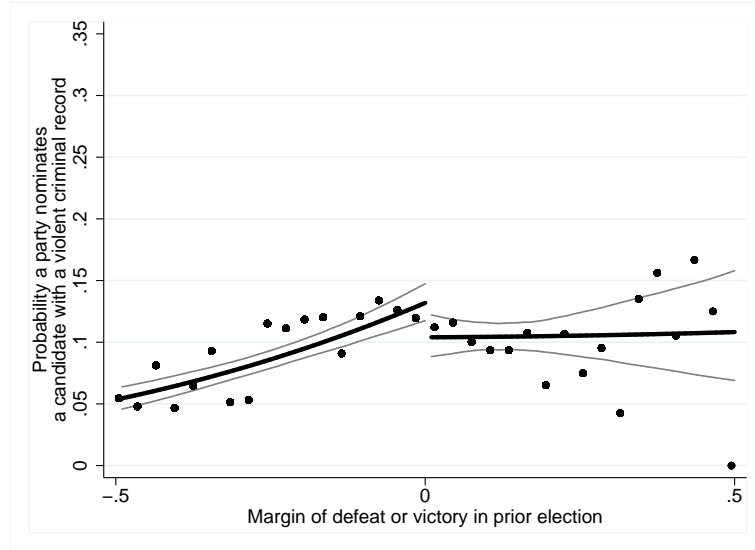
Standard errors in parentheses

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

and the probability criminals are nominated (the coefficient is negative). This effect is statistically significant at the 0.99 level and is robust to the inclusion of party and state level fixed effects. Incumbent parties are less likely to nominate charged candidates, and this too is similarly robust to the inclusion of fixed effects. The relationship between electoral competition and the nomination of allegedly violent criminal candidates is different for incumbent parties, however, and the positive coefficient indicates that the impact of electoral competition on their nominating behavior is less “steep”, to the point that competition might not influence the nomination of criminals at all.

Figure 4.6 presents this result visually. It recreates the binned scatter plots mentioned above and superimposes the predicted probability that a party nominates a candidate with a criminal record. These predicted values are generated using the parsimonious probit model with no fixed effects. As seen here, parties that lost their prior election by a large margin are the least likely to nominate charged candidates. The likelihood that they do so increases the closer they were to winning their prior election. There seems to be no relationship between competitiveness and the nomination of charged candidates for incumbent parties, though incumbent parties as a whole are less likely to nominate candidates who have been accused of committing violent crimes.

Table 4.3 presents the predicted probability parties nominate candidates with violent criminal charges conditional on their prior electoral performance. I generate these predicted values using both the parsimonious model and a model inclusive of state and party level fixed effects. For the latter model, I simulate the predicted probability that the Bahujan Samaj Party (BSP) nominates a candidate with a violent criminal charge in the state of Uttar Pradesh. The BSP is one of the most important parties in India’s most populous state, Uttar Pradesh, and won



**Figure 4.6:** Predicted probability that a party nominates a candidate charged with committing a violent crime. State level elections in India, 2003-2007.

Note: Predicted values are calculated using a parsimonious specification of a probit model. The only independent variables included are a party's prior electoral distance, its incumbency status, and the interaction between these two variables. Each dot corresponds to the proportion of candidates within a 3 percentage point bin that have been charged with committing a violent crime.

the 2007 state level elections. I generate these results using the Clarify program in STATA (Tomz, Wittenberg and King, 2003).

Substantively speaking, the impact of competition on the nominating behavior of parties is rather large for non-incumbent parties and non-existent for incumbent parties. Non-incumbent parties within one percentage point of winning their prior election are predicted to nominate charged candidates roughly 14 percent of the time. That value drops to 11.8 percent for parties that lost by 10 percentage points (a 17 percent decrease). Uncompetitive parties, those that lost by 20 percentage points, nominate criminals at a predicted rate of about 9.8 percent. In other words, uncompetitive parties are about 30 percent less likely to nominate criminals than parties that were near the threshold of victory in the prior election. Note that the relative impact of the level of competition a party faces

and the probability it nominates a criminal candidate is similar across both types of models.

**Table 4.3:** Simulated probability a party nominates a candidate charged with committing a violent crime. State level elections in India, 2003-2007.

Parsimonious Model		
	Non-Incumbent Party	Incumbent Party
Electoral Distance <1%	0.142 (0.126, 0.159)	0.107 (0.090, 0.126)
Electoral Distance = 10%	0.118 (0.108, 0.130)	0.103 (0.092, 0.1115)
Electoral Distance = 20%	0.098 (0.090,0.106)	0.099 (0.086, 0.113)
Fixed Effects Model		
	Non-Incumbent Party	Incumbent Party
Electoral Distance <1%	0.148 (0.116, 0.186)	0.119 (0.091, 0.153)
Electoral Distance = 10%	0.121 (0.095, 0.145)	0.122 (0.095, 0.154)
Electoral Distance = 20%	0.099 (0.077, 0.123)	0.126 (0.097, 0.160)

### 4.3.2 Robustness Checks

One potential challenge to these results is that they may be driven by the presence of small, fringe parties that have little chance of winning a seat. To an extent, the inclusion of party level fixed effects guards against this possibility: Recall that their inclusion into the analysis does not change the central result of this paper thus far.

Another way to rule out this possibility is to restrict the analysis to parties that finished in second place in their prior constituency election. These parties are,



on average, larger and more successful statewide than parties that finished worse than second place. If the pattern found thus far holds for these parties, then this would be further evidence that the presence of alleged criminals in elections is at least partially due to a rational calculation by parties to nominate them in highly competitive situations because they are vote-generating candidates.

Table 4.4 presents the results of a probit analysis where analysis is restricted to parties that were runner-ups in the prior election. Figure 4.7 presents these results visually. As seen here, runner up parties that were close to winning their prior election are the most likely to nominate candidates with violent criminal charges, thus confirming the central result thus far that competition does not deter parties from nominating charged candidates.

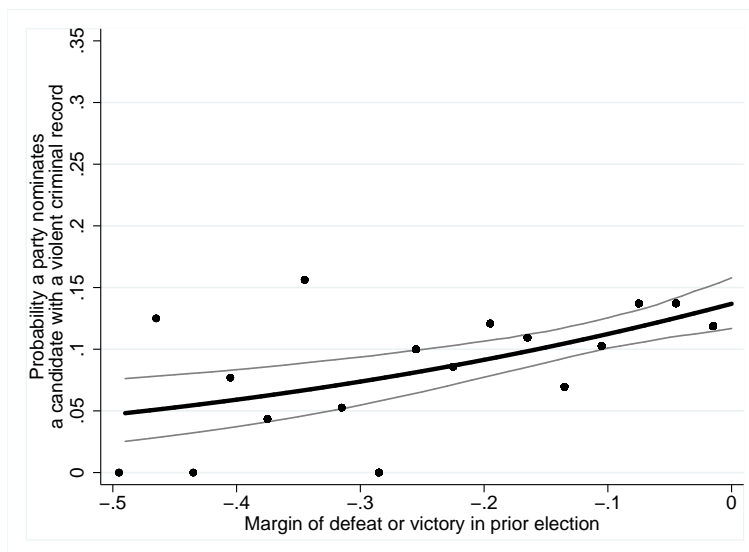
**Table 4.4:** Probit analysis of the probability that a party nominates a candidate charged with a violent crime conditional on its prior electoral performance. Analysis restricted to parties that were runner-ups in the prior election. State level elections in India, 2003-2007.

	(1)	(2)	(3)
Violent charge			
Electoral distance of party in prior election	-1.185*** (0.361)	-0.821** (0.387)	-0.842** (0.405)
Constant	-1.097*** (0.0494)	-1.473*** (0.136)	-1.888*** (0.301)
State FX	No	Yes	Yes
Party FX	No	No	Yes
Pseudo $R^2$	0.006	0.053	0.074
Observations	2575	2415	2349

Standard errors in parentheses

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

Another potential drawback of this analysis lies in its use of parties' prior electoral result as a proxy for their competitiveness in the current election. The weaknesses of this approach are two-fold. First, nearly half of all potential obser-



**Figure 4.7:** Predicted probability that a party nominates a candidate charged with committing a violent crime. Analysis restricted to parties that were runners-up in the prior election. State level elections in India, 2003-2007.

Note: Predicted values are calculated using a parsimonious specification of a probit model. The only independent variable included is a party's prior electoral distance. Each dot corresponds to the proportion of candidates within a 3 percentage point bin that have been charged with committing a violent crime.

vations are dropped because there was no information about their prior electoral performance. Second, the competitive dynamics of a constituency may change over time, thus making a party's prior electoral performance an obsolete measure of competition.

As a robustness check, I repeat this analysis using a party's contemporary performance as a measure of electoral competition. Thus, *Electoral distance* now measures the absolute value of the percentage point difference a party was from winning or losing its current election; *Winning party* is a dummy variable taking a value of one if a party won its current election; and I include the interaction of these two variables as a covariate in order to assess whether the relationship between nominating criminals and electoral competition is different for parties that expected to win by a wide margin.

Table 4.5 presents the results from the probit analysis and Figure 4.8 represents these results visually. These results are consistent with the central result of the paper found thus far. Parties that lost elections by large margins are the least likely to nominate charged candidates, and the probability that they nominate candidates with violent criminal charges steadily rises the closer they are to winning a seat.

**Table 4.5:** Probit analysis of the probability that a party nominates a candidate charged with a violent crime conditional on its current electoral performance. State level elections in India, 2003-2007.

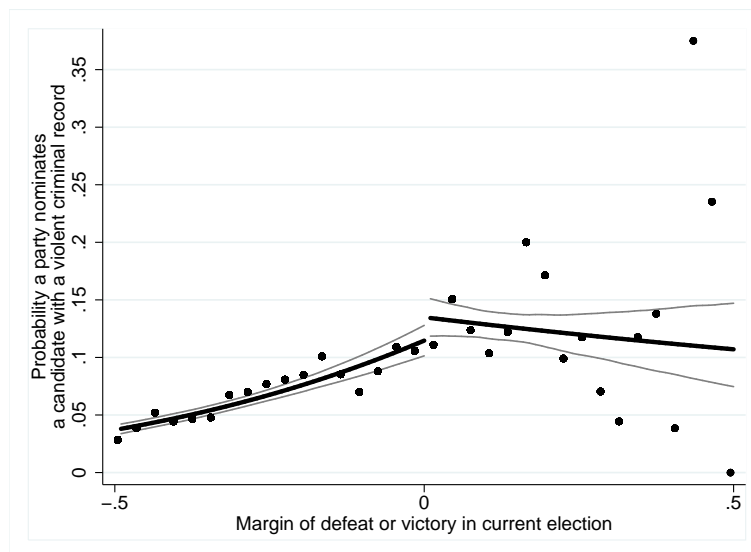
	(1)	(2)	(3)
Violent charge			
Electoral distance of party in current election	-1.162*** (0.0997)	-1.152*** (0.107)	-1.099*** (0.128)
Winning party	0.0985* (0.0515)	0.120** (0.0553)	0.0844 (0.0567)
Winning party X Electoral distance	0.879*** (0.269)	1.127*** (0.301)	0.991*** (0.320)
Constant	-1.203*** (0.0354)	-1.524*** (0.0884)	-4.073*** (0.228)
State FX	No	Yes	Yes
Party FX	No	No	Yes
Pseudo $R^2$	0.032	0.068	0.090
Observations	17786	17418	16101

Standard errors in parentheses

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

### 4.3.3 Does nominating charged candidates work?

Thus far, I have shown that non-incumbent parties that were close to winning their prior race are the most likely to nominate candidates who have been charged



**Figure 4.8:** Predicted probability that a party nominates a candidate charged with committing a violent crimes conditional on its performance in current election. State level elections in India, 2003-2007.

Note: Predicted values are calculated using a parsimonious specification of a probit model. The only independent variables included are a party's electoral distance in the current election, whether a party won its constituency, and the interaction between these two variables. Each dot corresponds to the proportion of candidates within a 3 percentage point bin that have been charged with committing a violent crime.

with committing violent crimes. I now examine if nominating these candidates increases parties' chances of winning. I estimate the probability a party wins an election conditional on: (a) its prior margin of victory or defeat; (b) the self reported value of a candidate's financial assets; and (c) a dummy variable indicating whether or not a party's candidate has a violent criminal record.

As mentioned in the Introduction of this chapter, the general result that criminals win a disproportionate number of elections may be driven by the fact that they are nominated into safe seats. To guard against this possibility, I conduct this analysis on four different types of parties separately: (a) parties that lost their prior election by more than 10 percentage points; (b) parties that lost their prior election by less than 10 percentage points; (c) parties that won their prior election

by less than 10 percentage points; and (d) parties that won their prior election by more than 10 percentage points. This approach thus estimates the degree to which nominating candidates with violent criminal charges increases parties' chances of winning relative to other parties that are in a similar competitive position. In addition, there may be unobserved party and state level characteristics influencing whether or not criminal candidates are more likely to win. To guard against this possibility, I include party and state level fixed effects.

Table 4.6 presents this analysis using a probit model and Table 4.7 presents this analysis using a linear probability model. I include results from the latter for ease of interpretation — the coefficient on the independent variable, *Violent candidate*, is the estimate of the increased probability a party wins an election when nominating a criminal candidate.

For parties that lost or won their prior election by more than 10 percentage points, nominating charged candidates makes little difference on their chances of winning. Nominating a charged candidate does pay electoral dividends for parties that were within 10 percentage points of winning or losing, however. Parties that barely lost their prior election — those with the highest likelihood of nominating these candidates to begin with — are roughly 8.8 percentage points more likely to win than parties that lost by less than 10 percentage points and nominated non-charged candidates. Similarly, parties that won their seat by less than 10 percentage points are 9.5 percentage points more likely to win if they nominate a candidate with a violent criminal charge. These estimates are consistent with Vaishnav (2011*a*) who finds that candidates charged with committing a crime are 7.8 percentage points more likely to win.

In summary, these results suggest that non-incumbent parties that were close to winning their prior election respond by nominating candidates with violent

criminal charges and that this strategy works: Parties that nominate criminals are more likely to go on to win.

**Table 4.6:** Probability a party wins an election conditional on whether if nominated a candidate charged with committing a violent crime and prior electoral performance. Probit Model. State level elections in India 2003-2007

	(1)	(2)	(3)	(4)
	Uncompetitive Parties	Near Winners	Near Losers	Relatively Dominant
Winning party				
Violent charge	0.181* (0.0948)	0.266*** (0.0996)	0.286** (0.119)	0.0515 (0.146)
Natural log of candidate wealth	0.0302*** (0.00681)	0.0151** (0.00720)	0.0392*** (0.00832)	0.0477*** (0.00958)
Margin of defeat or victory in prior election	4.054*** (0.279)	4.804*** (1.234)	4.937*** (1.323)	2.322*** (0.516)
Constant	1.009** (0.436)	-0.843*** (0.225)	-2.001*** (0.225)	-1.293 (1.020)
State FX	Yes	Yes	Yes	Yes
Party FX	Yes	Yes	Yes	Yes
Pseudo $R^2$	0.245	0.148	0.191	0.197
Observations	4057	1574	1498	1303

Standard errors in parentheses

Note: In Model 1, analysis was restricted to parties that lost their prior election by more than 10 percentage points.

In Model 2, analysis was restricted to parties that lost their prior election by less than 10 percentage points.

In Model 3, analysis was restricted to parties that won their prior election by less than 10 percentage points.

In Model 4, analysis was restricted to parties that won their prior election by more than 10 percentage points.

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

**Table 4.7:** Probability a party wins an election conditional on whether if nominated a candidate charged with committing a violent crime and prior electoral performance. Ordinary Least Squares Model. State level elections in India 2003-2007

	(1)	(2)	(3)	(4)
	Uncompetitive Parties	Near Winners	Near Losers	Relatively Dominant
Violent charge	0.0307 (0.0193)	0.0881*** (0.0342)	0.0951** (0.0387)	0.00834 (0.0403)
Natural log of candidate wealth	0.00436*** (0.000934)	0.00476** (0.00232)	0.0123*** (0.00244)	0.0157*** (0.00328)
Margin of defeat or victory in prior election	0.628*** (0.0426)	1.548*** (0.408)	1.557*** (0.422)	0.589*** (0.121)
Constant	0.475*** (0.0685)	1.220*** (0.254)	1.116*** (0.149)	0.851*** (0.165)
State FX	Yes	Yes	Yes	Yes
Party FX	Yes	Yes	Yes	Yes
$R^2$	0.214	0.219	0.260	0.258
Observations	4633	1655	1539	1350

Standard errors in parentheses

Note: In Model 1, analysis was restricted to parties that lost their prior election by more than 10 percentage points.

In Model 2, analysis was restricted to parties that lost their prior election by less than 10 percentage points.

In Model 3, analysis was restricted to parties that won their prior election by less than 10 percentage points.

In Model 4, analysis was restricted to parties that won their prior election by more than 10 percentage points.

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$



## 4.4 Discussion

The central findings of this paper are that: (a) parties disproportionately nominate candidates charged with committing violent crimes into competitive elections; and (b) these parties are more likely to win their elections. Taken at face value, these results suggest that the “electoral connection” (Mayhew, 1974) in India is not working. The very set of candidates that inspired the Supreme Court to mandate the use of candidate disclosure affidavits — criminals — are successfully winning elections despite being nominated into highly competitive elections. This evidence suggests that parties nominate criminal candidates because they have the skills and resources to effectively contest elections — they are vote-generating candidates.

This finding raises the intriguing question, are criminal candidates “quality” candidates? On the one hand, it is possible that voters sincerely prefer to vote for candidates with criminal records over non-charged candidates. In this case, democracy and electoral competition are working as desired: Parties are responding to highly competitive situations by nominating the type of candidates voters prefer. The intriguing question then becomes, why do voters like criminal candidates?

A more complicated picture emerges if voters are either indifferent about candidates’ criminal histories or dislike it. In this case, voters’ support for criminal candidates might be conditional on the level of benefits they receive from criminals or on the mode of electoral competition taking place in a constituency. Here, voters do not prefer to vote for criminal candidates all else being equal, but do so because criminals have a comparative advantage in delivering benefits to voters — an advantage that is especially beneficial when political competition revolves around the delivery of targeted benefits to voters (Chauchard, 2013). In this scenario, electoral competition results in the selection of candidates that — on balance —

are desired by voters but only because parties are reliant on a mode of political competition where candidates with ties to criminal activities are high “quality” candidates.

The broader question is, why do voters vote for candidates they dislike? It is useful to adapt Caselli and Morelli’s (2004) definition of candidate quality and assume that voters evaluate candidates on two dimensions: character and competence. The character dimension is related to the degree to which voters evaluate a candidate’s honesty and moral standing. The competence dimension is related to the degree to which a candidate can deliver the type of material or policy related benefits voters desire. When voting, voters evaluate each of their choices on these two dimensions and vote for the higher quality candidate. Using this as a starting point, candidates with criminal records could win elections if: (a) voters positively rate the character of candidates charged with committing a violent crime; (b) voters negatively rate the character of criminal candidates but are unaware of a candidate’s criminal history (Besley, 2005; Pande, 2011); or (c) voters negatively rate the character of criminal candidates, but they rate the competence of criminal candidates higher than non-criminals.

With respect to the first possibility, that voters prefer to vote for criminals, research involving the use of field experiments has shown that voters dislike candidates with criminal records — even if the candidate shares a caste / ethnic affiliation with the voter (Chauchard, 2013; Banerjee et al., 2013). Furthermore, the fact that incumbent parties are less likely to nominate candidates with criminal records — even though there is a well known incumbency disadvantage in India (Linden, 2004; Uppal, 2009) — suggests that parties are willing to substitute the use of criminal candidates when they have access to state resources during elections. These findings, combined with the negative attention criminal candidates receive

from the Indian press and reformist community, suggest that voters in India rate criminal candidates negatively on the character dimension. That is to say, all else being equal, voters prefer not to vote for candidates with criminal records, but they seemingly do so anyways.

The second possibility is that candidates with violent criminal charges win elections because voters are unaware of their criminal backgrounds (Banerjee et al., 2010; Pande, 2011). Though it is possible that a large share of voters are unaware of candidates' criminal past, there are two reasons that suggest the voter ignorance hypothesis alone does not explain why criminals win. First, even if voters are unaware that their preferred electoral candidate has a criminal record, this does not explain why criminal candidates win elections at a disproportionate rate. When voters are completely ignorant about candidates' character, they are evaluating candidates solely on the competence dimension. If the criminality of candidates is uncorrelated with skill, then on average, criminal and non-criminal candidates would be elected at the same rate. This is not in the case in India, which suggests that these candidates are more skilled in some capacity than non-criminal candidates, and that candidates' criminal status is correlated with skill.

Second, I find that parties are more likely to nominate criminal candidates in competitive elections. In marginal constituencies parties have a greater incentive to exert effort and mobilize voters (Cox and Munger, 1989). If voters negatively rate criminal candidates, then parties in competitive constituencies have a greater incentive to inform voters about the criminal histories of their opponents. Thus, while voter ignorance is a plausible reason as to why candidates with criminal records win elections, it seems likely that voters residing in competitive constituencies would be better informed about candidates' criminal histories than voters residing in uncompetitive constituencies; as a result, parties would be less likely to nominate

criminal candidates in these constituencies. This, combined with the fact that criminal candidates win elections at a disproportionate rate, suggests that voter ignorance alone cannot account for the success of candidates with criminal records.

A final reason as to why criminal candidates are good at winning elections is that they are simply better at contesting elections than their non-charged peers. At issue, however, is determining why candidates with criminal records are more skilled. As mentioned previously, candidates with criminal records are wealthier than non-charged candidates (Vaishnav, 2011*b*; Dutta and Gupta, 2012); criminal gangs occupy a privileged position in the local political economy allowing them to cultivate a personal political base (Vohra, 1993; Berenschot, 2008); voters residing in ethnically contentious areas may prefer to support candidates with a demonstrable ability to protect group interests (Vaishnav, 2011*a*) — even if these individuals have criminal records; and criminals and criminal gangs are often used by parties to mobilize clientelistic networks (Vohra, 1993).

In summary, I contend that voters in India rate criminal candidates as having lesser character than non-criminals but these criminal candidates can compensate voters for this dis-utility by being more skilled than their non-criminal peers. Reform efforts that increase competition and transparency are effective only if they increase the salience of character in elections. In India, however, it appears that criminal candidates are still skilled enough to secure the votes of enough voters and win elections, despite the fact that their criminal histories are in the public domain. Given this dynamic, reforms aimed at increasing competition and transparency will have a limited effect on reducing the presence of criminals in elections.

## 4.5 Conclusion

This chapter finds that electoral competition fails to deter parties from nominating candidates who have been charged with committing violent crimes. This finding is especially true for non-incumbent parties, those that failed to win a given seat in the prior election. The impact of competition on an incumbent party's decision to nominate criminals is either non-existent, or much weaker than it is for non-incumbent parties.

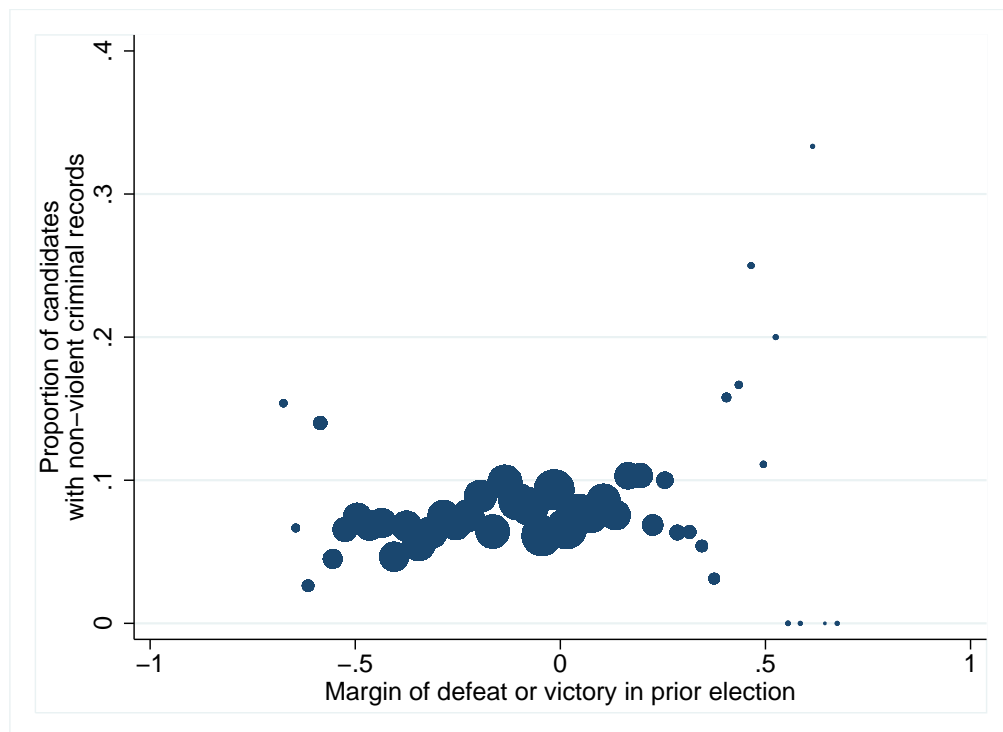
The most pressing question to answer is why do parties nominate candidates with criminal records in the face of electoral competition? The short answer is that it works. Candidates with the ability to generate votes in a polity where voters do not trust the promises of parties are a premium (Keefer and Vlaicu, 2008). The fact that such candidates can win despite having tainted personal histories highlights the importance of the personal vote and the inability of voters in India to coordinate polity-wide in order to punish parties for nominating candidates with undesirable qualities.

From an institutional perspective, it is important to note that voters in India are asked to evaluate two things when voting. The first is whether or not a given candidate serves the interest of their constituency, and the second is whether or not a given party serves the interests of the polity as a whole. Parties thus face countervailing pressures with respect to the type of candidates to nominate in elections. On the one hand, there is tremendous pressure for parties to nominate candidates that can win elections. On the other hand, parties have an incentive to present a slate of candidates that do not cause voters to doubt the integrity and competency of their party label.

In consolidated democracies where voters do punish parties if the integrity of their party is in doubt (Clark, 2009), the incentive to present a quality slate of

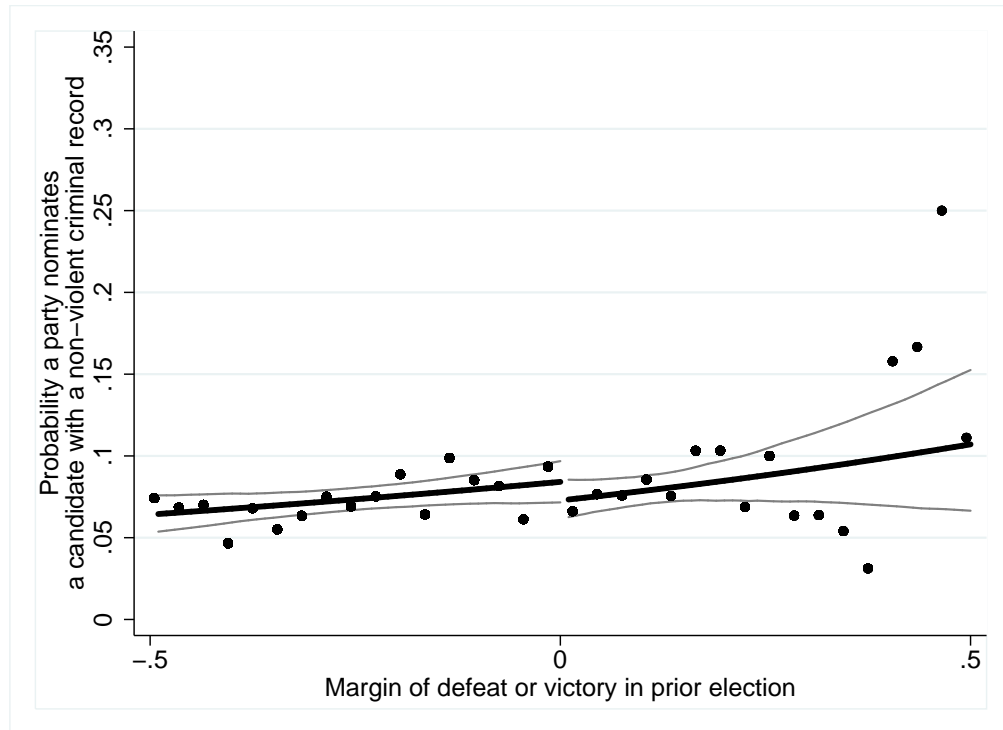
candidates can outweigh the incentive to nominate candidates who employ illicit personalistic strategies to win elections. In cases where voters lack the ability to punish parties, then the incentive to nominate candidates to win seats outweighs the incentives parties face to present a high quality slate of candidates to the electorate. Thus, when examining why criminals in India are more likely to win elections, it is important to examine why criminal candidates are effective at winning elections *and* why voters do not heavily penalize parties for nominating them.

## 4.6 Appendix



**Figure 4.9:** Relationship between the proportion of candidates with non-violent criminal records and the margin of victory or defeat of the parties that nominate them. State level elections in India, 2003-2007.

Note: The width of each bin is 3 percentage points. Each dot corresponds to the proportion of candidates within the bin that have been charged with committing a violent crime. The size of each dot is proportional to the number of candidates within the bin.



**Figure 4.10:** Predicted probability that a party nominates a candidate charged with committing a non-violent crime. State level elections in India, 2003-2007. Note: Predicted values are calculated using a parsimonious specification of a probit model. The only independent variables included are a party's prior electoral distance, its incumbency status, and the interaction between these two variables. Each dot corresponds to the proportion of candidates within a 3 percentage point bin that have been charged with committing a non-violent crime.

**Table 4.8:** Probit analysis of the probability that a party nominates a criminal candidate conditional on its prior electoral performance. 2003-2007

	(1)	(2)	(3)
Non-violent charge			
Margin of defeat or victory in prior election	0.279* (0.147)	0.427*** (0.153)	0.365** (0.178)
Incumbent party	-0.0724 (0.0643)	-0.119* (0.0676)	-0.117* (0.0689)
Margin of victory X Incumbent Party	0.121 (0.336)	-0.0922 (0.363)	0.108 (0.372)
Constant	-1.383*** (0.0415)	-1.953*** (0.125)	-2.307*** (0.469)
State FX	No	Yes	Yes
Party FX	No	No	Yes
Pseudo $R^2$	0.001	0.038	0.052
Observations	9529	9350	9068

Standard errors in parentheses

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$



# Chapter 5

## Electoral Competition and Candidate Wealth in India

### 5.1 Introduction

In the previous chapter, I empirically tested my hypothesis that parties value candidates who have been charged with committing violent crimes because they are vote-generating candidates, and as a result, parties disproportionately nominate them into competitive electoral constituencies. I find that parties facing a high level of competition — those that were very close to winning their constituencies in the previous election — are the most likely to nominate candidates with violent criminal records. I also find that these parties are about 9 percentage points more likely to win, even after controlling for their candidates' wealth.

I now turn my attention to applying this candidate nomination theory toward understanding why parties nominate wealthy candidates. Understanding why parties value wealthy candidates helps us understand why parties nominate criminal candidates. If, for example, parties nominate criminal candidates because

they are wealthier than non-criminal candidates (Vaishnav, 2011*b*), and if additional wealth helps candidates generate vote-share, then we would expect parties to disproportionately nominate non-criminal wealthy candidates into competitive electoral constituencies as well. If parties do not disproportionately nominate wealthy candidates into competitive constituencies, then this implies at least two things: First, parties value wealthy candidates for reasons extending beyond winning specific constituencies (i.e. they are party-capacity building candidates); and second, candidates with criminal records are successful in elections for reasons extending beyond their financial wealth.

In this chapter, I examine parties' decision to nominate wealthy candidates into safe or competitive electoral constituencies. I hypothesize that wealthy candidates are primarily skilled at helping parties build their organizations for the following reasons: (a) parties might be able to redistribute some of a candidate's wealth for other purposes, if they can agree to an equitable contract; (b) candidate wealth might be correlated with other skills and resources, such as connections to a wealthy donor network; and (c) candidate wealth might be correlated with political skill and seniority, as is the case in India (Bhavnani, 2012; Fisman, Schulz and Vig, N.d.). In short, I contend that wealthy candidates are party-capacity building candidates and as such, I expect parties to nominate them into their safest seats.

To that end, I analyze state level election data in India between 2003 and 2007, in conjunction with information about candidates' wealth, which is found in their candidate disclosure affidavits. I find that there is a positive correlation between how well parties perform in their prior constituency elections and the wealth of the candidates they nominate in the current election. I also find that parties that nominate wealthy candidates are more likely to win their elections, but that this advantage is relatively small compared to the electoral advantage parties

realize from nominating criminal candidates.

This chapter proceeds as follows. In section 2, I briefly review parties' logic as it pertains to nominating wealthy candidates. I argue that if parties care only about maximizing the number of seats they win in the current election, and if additional wealth helps candidates generate vote-share, then parties will have an incentive to nominate these candidates into competitive electoral constituencies. However, if parties care about building their organizational capacities, and if parties can use wealthy candidates to help them achieve this goal, then parties have an incentive to nominate their wealthiest candidates into their safest seats. In section 3, I argue that wealthy candidates are party-capacity building candidates and hypothesize that parties will nominate them into safe electoral constituencies. In section 4, I present the data I use to test this hypothesis. In sections 5 and 6 I present my results and concluding remarks, respectively.

## **5.2 The logic of nominating wealthy candidates**

Before delving into the empirical analyses, it may be helpful to review why parties' decision to nominate wealthy candidates is conditional on the level of competition they expect to face in electoral constituencies. Imagine a party, The Purple Party, is competing in a polity with three electoral constituencies (A, B, and C), all of which use a first past the post (FPTP) electoral rule, and it competes against just one other party. The Purple Party believes that Constituency A is hopelessly lost, Constituency B is competitive, and Constituency C is a safe seat. More concretely, assume that the Purple Party estimates that it will win 40 percent of the vote in Constituency A, 50 percent of the vote in Constituency B, and 60 percent of the vote in Constituency C based off of the strength of its party label

alone. The party is deciding where to allocate three different candidates, two of whom are equally generic (meaning they do not help parties in any way) while the third is wealthy. Where will the Purple Party nominate its wealthiest candidate?

Let us begin by assuming that the Purple Party cares about maximizing the number of seats it wins in the current election and improving its organizational capacity for future elections. If money is not a vote-generating asset, then by definition, the Purple Party cannot improve its electoral prospects in any of these constituencies by nominating a wealthy candidate. Thus on the seat maximizing dimension, it has no incentive to nominate a wealthy candidate over a generic candidate in any of the three constituencies it is competing in.

The Purple Party is motivated by more than maximizing the number of seats it wins in the current election, however. It also cares about improving its organizational capacity. The Purple Party's decision to nominate a wealthy candidate is thus conditioned by two factors: First, whether money improves its organizational capacity; and second, whether the Purple Party can realize this benefit irrespective of whether or not its candidate wins. If money is a party-capacity building attribute, and if the Purple Party realizes this benefit only if its candidate wins, then it has an incentive to nominate its wealthy candidate into a constituency where he or she is highly likely to win — in this case Constituency C.

If money is not a party-capacity building attribute, or if the Purple Party can increase its organizational capacity irrespective of whether its candidates wins, then this party has no incentive to nominate its wealthy candidate over a generic candidate in any of the three electoral constituencies: All three candidates yield the Purple Party the same level of benefits, one just happens to be wealthy. To summarize, if wealthy candidates are party-capacity building candidates, and if their ability to help parties is conditional on being elected, then parties are more

likely to nominate their wealthiest candidates into their safest seats.

Let us now assume that money *is* a vote-generating asset and that nominating a wealthy candidate improves the Purple Party's vote-share by 5 percentage points. More concretely, the Purple Party estimates that it will win 45 percent of the vote in Constituency A, 55 percent of the vote in Constituency B, and 65 percent of the vote in Constituency C if it nominates a wealthy candidate into each of those seats. Recall from Chapter 2, parties' marginal utility for additional vote-share is at its greatest when elections are close — when additional vote-share can swing an election's outcome. In the example considered here, the Purple Party stands to gain the most from nominating a wealthy candidate if it nominates him or her into Constituency B — the competitive seat. A small increase in vote-share does not greatly change the expected outcome of an election in either Constituency A or C, but a small increase in vote-share can change the expected outcome of an election in Constituency B. To summarize, if wealthy candidates are vote-generating candidates, then parties are more likely to nominate their wealthiest candidates into their most competitive seats.

### **5.3 Wealthy candidates as party-capacity builders**

The central premise of this paper is that parties nominate vote generating candidates into competitive constituencies while nominating party building candidates into safe constituencies. The question then becomes: Are wealthy candidates primarily skilled at generating votes, or are they primarily skilled at helping parties build their organizations? On the one hand, we might think that candidates' wealth could be useful to generate votes, especially given the importance of money in electoral campaigns in India.

On the other hand, wealthy candidates might have a comparative advantage in building a party's capacity for three reasons. First, winning elections might require more than just money; other skills such as having the ability to mobilize voters, organize rallies, engage in clientelistic exchanges, or engage in illicit campaigning strategies might also be required to win elections. Unless wealthy candidates are more likely to possess these qualities, their wealth alone is no guarantee that they are skilled at generating votes. Second, wealthy candidates might differ from non-wealthy candidates in unobserved ways. In particular, it is possible that these candidates also have access to greater wealth due to their connections in the private sector; such connections might become a valuable source for parties for money. Third, and related to the second, wealthy candidates might also be more likely to be party leaders. In India, party leaders tend to realize greater gains in wealth from holding office than ordinary members (Bhavnani, 2012; Fisman, Schulz and Vig, N.d.) and thus they might also be wealthier.

Given these possibilities, I hypothesize:

*H1: Parties are more likely to nominate their wealthier candidates into safer seats.*

## 5.4 Data

In order to examine the relationship between electoral competitiveness and parties' candidates' wealth, I analyze data from a variety of sources. For the dependent variable, candidates' wealth, I use data from the self-reported affidavits submitted by all candidates for public office in India. Copies of the original candidate affidavits are posted online at the Election Commission of India's website.<sup>1</sup> These

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<sup>1</sup>The Election Commission of India posts scanned copies of candidate affidavits and election results on its website at <http://eci.nic.in/>.

data are digitized and posted online by the NGOs the Liberty Institute of India, and the Association for Democratic Reforms.<sup>2</sup> The data used in this paper were made available in a dataset by Milan Vaishnav (Vaishnav, 2011*c*).

For the independent variables related to the electoral competitiveness of parties, I use state level electoral data for elections that took place between 2003 and 2007. These data are also posted online at the Election Commission of India's website. I choose 2003 as my starting point because data candidate affidavit data only became available that year; I use 2007 as my ending point because new electoral constituencies were delimited in 2008 across all Indian states. Because I proxy for a party's competitiveness with its prior electoral performance in a constituency, the creation of new electoral boundaries makes it difficult to create this variable for elections taking place after 2007. These data cover 22 elections across 22 states and 3,300 constituencies, for a total of roughly 18,000 party-constituency observations. Note, that for roughly 8,000 observations, I cannot calculate their prior electoral performance because these parties did not compete in the same constituency in the prior election.

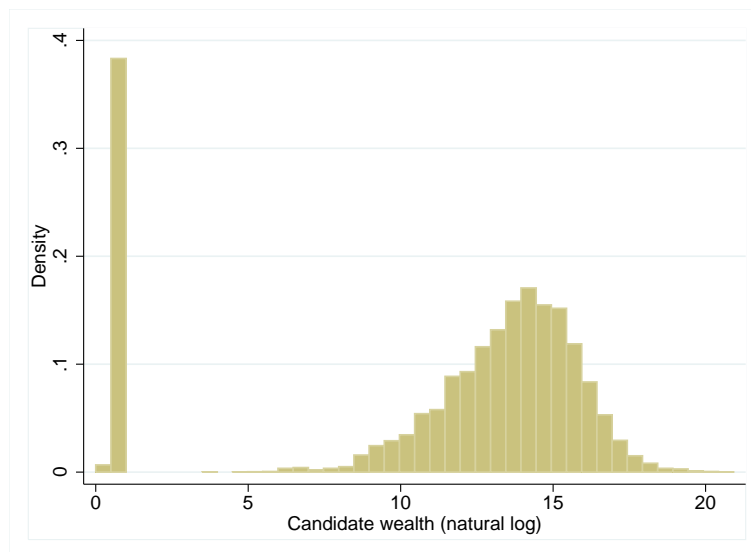
### 5.4.1 Dependent Variables

My dependent variable of interest is the value of a candidate's financial assets. *Candidate wealth* is the natural log of the value of a candidate's financial assets. As seen in Figure 5.1, the natural log of candidate wealth seems to be normally distributed, with the exception of a group of outliers clustered near zero: Approximately 13 percent of all candidates seemingly possess financial assets that

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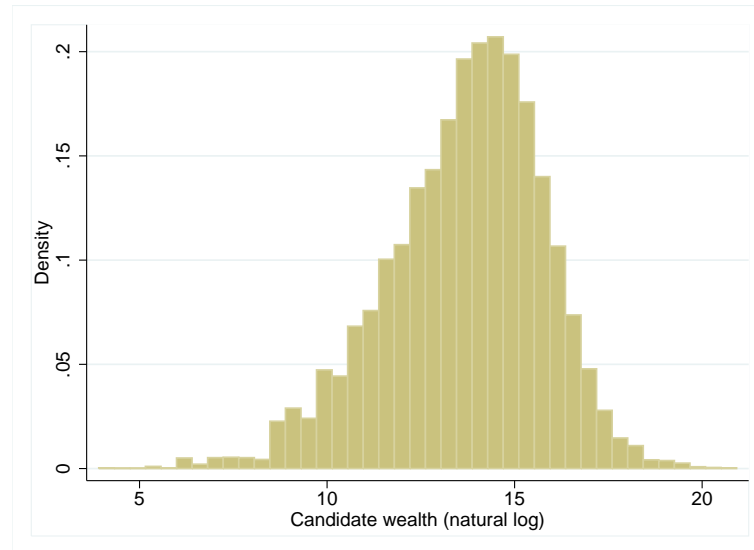
<sup>2</sup>The Liberty Institute of India posts information from candidate affidavits online. These affidavit data may be accessed for each individual candidate or via an on-line query. <http://www.empoweringindia.org/new/home.aspx>. The Association for Democratic Reforms also publishes summary reports of candidate characteristics after every election in India at <http://adrindia.org>.

are worth less than 3 Indian Rupees (INR). These observations are dropped from the analysis bringing the total number of observations in this analysis to 7,771 (Figure 5.2).



**Figure 5.1:** Distribution of the natural logged wealth of candidates in state level elections in India between 2003 and 2007.





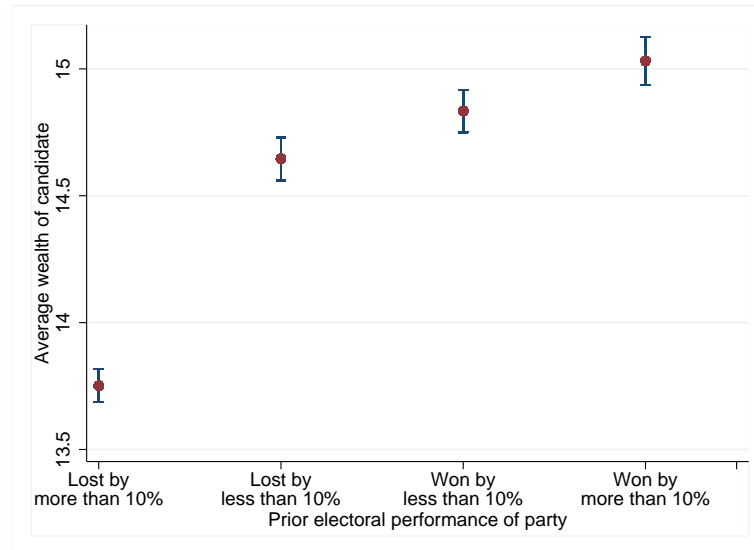
**Figure 5.2:** Distribution of the natural logged wealth of candidates in state level elections in India, 2003 to 2007. No outliers.

### 5.4.2 Independent Variables

The main independent variable(s) of interest pertain to the level of competitiveness parties face during elections. As seen in Figure 5.3, parties that performed well in their prior elections nominate wealthier candidates in the current election. Relatively dominant parties nominated the wealthiest candidates with an average natural log value of 15. In real terms, the value of these candidates' wealth is roughly 3,280,000 INR, or 55,000 USD (assuming an exchange rate of 1 USD = 60 INR). Note that the per capita GDP of India is about 1,500 INR, according to the World Bank.

I create three variables in order to create a continuous measure of the electoral competitiveness parties. *Prior margin of victory* represents how far (in percentage points) a party was from winning or losing a seat in the prior election; *Incumbent Party* represents parties that won the constituency in the prior election; and the interaction term *IncumbentXPrior margin of victory*.

*Prior margin of victory* measures the percentage point difference a party



**Figure 5.3:** Relationship between the prior electoral performance of parties and the wealth of the candidates they nominated. State level elections in India, 2003-2007.

was from winning or losing a seat in the prior election. For losing parties, this value is calculated by subtracting their vote share from the vote share of the winning party. For parties that won their prior election, I subtract the vote share of the second place party from their vote share. Increasing values of *Prior margin of victory* correspond to parties facing a greater degree of electoral competition if they lost their prior election; for winning parties increasing values of this variable correspond to parties facing a lesser degree of electoral competition.

*Incumbent party* is a binary variable taking the value of one if a party won its seat in the prior election and zero otherwise.

*IncumbentXPrior margin of victor* is an interaction variable that is calculated by multiplying the electoral distance of a party with its incumbency status. Because *Incumbent Party* is dichotomous, *IncumbentXPrior margin of victor* is zero for non-incumbent parties and is positive for incumbent parties. I include this variable to control for the fact that the relationship between competitiveness and candidates'

wealth might be asymmetric across incumbent and non-incumbent parties.

*Violent criminal charge* is a dichotomous variable that denotes if a candidate has been charged with committing violent crimes, and *Non-violent charge* is a dichotomous variable that denotes if a candidate has been charged with only non-violent crimes. Vaishnav (2011*b*) argues that parties nominate criminal candidates because they are wealthier than non-criminal candidates. As such, I expect that there will be a positive coefficient on these two variables.

### 5.4.3 Control Variables

In these analyses, I control for the demographic characteristics of electoral constituencies. Even though there is no requirement that candidates must be a resident of the constituency they wish to represent, they still might be (Ziegfeld, 2011). If so, then it is important to control for the possibility that wealthier constituencies might simply have wealthier candidates. To that end, I include the literacy rate of a district, the percent of a district's population residing in urban areas, the percent of a district's population that is a member of a Scheduled Caste or Tribe, and whether or not a constituency is reserved for a member of a Scheduled Caste or Tribe as control variables. Demographic variables are taken from the 2001 Indian Census and their units of analyses are the administrative district. State level electoral constituencies are a perfect subset of administrative districts; an electoral constituency can only reside in one administrative district, while one administrative district can have multiple electoral constituencies within its boundaries.

I predict that parties will nominate wealthier candidates in constituencies that have wealthier residents. Thus, I expect candidates' wealth to be positively related to districts' literacy rate and the percent of their citizens residing in urban areas. I also expect districts with more citizens belonging to a scheduled caste

or tribe, and reserved reserved constituencies, to have less wealthy candidates because of the fact that citizens residing in these areas are members of a historically oppressed and economically deprived group.

**Table 5.1:** Summary statistics of selected variables pertaining to parties and candidates in state level elections in India between 2003-2007.

	N	Mean	SD	Min	Max
Violent criminal charge	9529	0.10	0.29	0.00	1.00
Non-violent charge	9529	0.08	0.26	0.00	1.00
Candidate wealth (natural log)	7771	14.30	1.92	5.53	20.92
Incumbent party	9529	0.31	0.46	0.00	1.00
Margin of victory in prior election	9529	-0.13	0.23	-0.82	0.95
Seat reserved for member of SC/ST	3347	0.24	0.42	0.00	1.00
Literary rate of district	446	0.55	0.13	0.24	0.85
Percent of population in urban areas	441	0.26	0.21	0.01	1.00
Percent of district pop. member of SC/ST	446	0.28	0.18	0.00	0.98

## 5.5 Analysis and Results

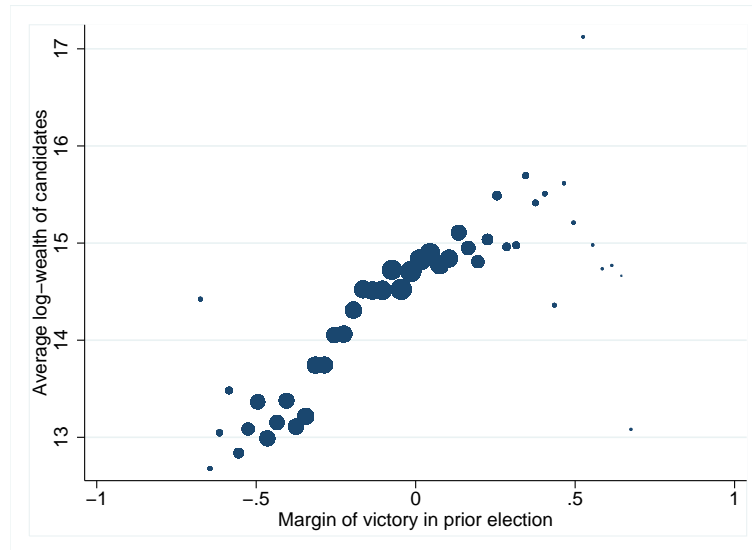
I use an Ordinary Least Squares (OLS) model to examine the relationship between electoral competition and parties' candidates' wealth. The dependent variable is a continuous variable and is the natural log of the financial value of a candidate's assets. I proxy for a party's competitive position with the variable, *Prior margin of victory*, which measures the percentage point difference it was from winning or losing its prior election. I also include the dichotomous variable, *Incumbent Party*, to control for whether or not a party won its seat in the prior election. In order to test if incumbent parties behave differently than non-incumbent parties with respect to their nomination of criminal candidates, I include an interaction term, *IncumbentXPrior margin of victory*, which is obtained by multiplying the dummy variable for incumbency with a party's electoral distance. In addition, I

include the demographic control variables mentioned above, along with party and state level fixed effects.

### 5.5.1 Results

Figure 5.4 is a binned scatter-plot graphing the relationship between the average value of candidates' wealth and the prior electoral performance of the parties that nominated them. Here, the x-axis is divided into discrete bins that have a width of 3 percentage points and corresponds to a party's margin of victory (or defeat) in the prior election. Each dot represents the average value of candidates' wealth (natural log) within that bin, and the size of each dot is proportional to the total number of candidates nominated. If the central hypothesis of this chapter is true — parties nominate their wealthiest candidates into their safest seats — then I expect there to be a positive relationship between these two variables. As shown here, there is a positive relationship and it appears to be log-linear, though its slope is steeper for non-incumbent parties than incumbent parties.

Table 5.2 presents the results of an OLS analysis and examines this relationship parametrically. A positive coefficient on the variable, *Margin of victory in prior election*, would indicate that there is a positive relationship between electoral performance and candidate wealth for parties that lost their prior election. The coefficient on the dummy variable, *Incumbent party*, indicates if incumbent parties nominate wealthier candidates; and the coefficient on the interaction variable, *Incumbent X Prior margin of victory*, indicates whether the relationship between competitiveness and candidates' wealth is different for parties that won their prior election than for parties that lost it. If we sum the coefficients of *Margin of victory in prior election* and the interaction term, then we would obtain the relationship between how well a party did in its prior election and its candidates' wealth for



**Figure 5.4:** Relationship between candidates’ wealth and the prior electoral performance of the parties that nominated them. State level elections in India, 2003-2007.

Note: The width of each bin is 3 percentage points. Each dot corresponds to the average wealth of candidates within the bin. The size of each dot is proportional to the number of candidates within the bin.

incumbent parties. A positive summed value implies that as parties won their seats by a wider margin in the prior election, they nominated wealthier candidates in the current election.

Table 5.2 shows that there is a positive relationship between party performance and candidates’ wealth. This effect is statistically significant at the 0.99 level and is robust to the inclusion of party and state level fixed effects. Incumbent parties nominate candidates that are equally wealthy to non-incumbent parties, all else being equal; and the relationship between party performance and the nomination of wealthy candidates is different for incumbent parties. The negative coefficient indicates that this relationship is less “steep” than it is for non-incumbent parties, but overall the relationship is still positive: Parties that won their prior election by a wide margin nominate wealthier candidates in the current election. Parties nominate wealthier candidates in constituencies located in more urban districts,

**Table 5.2:** Ordinary Least Squares analysis of the relationship between candidates wealth and the prior electoral performance of the party that nominated them. State level election in India, 2003-2007. DV = Log wealth.

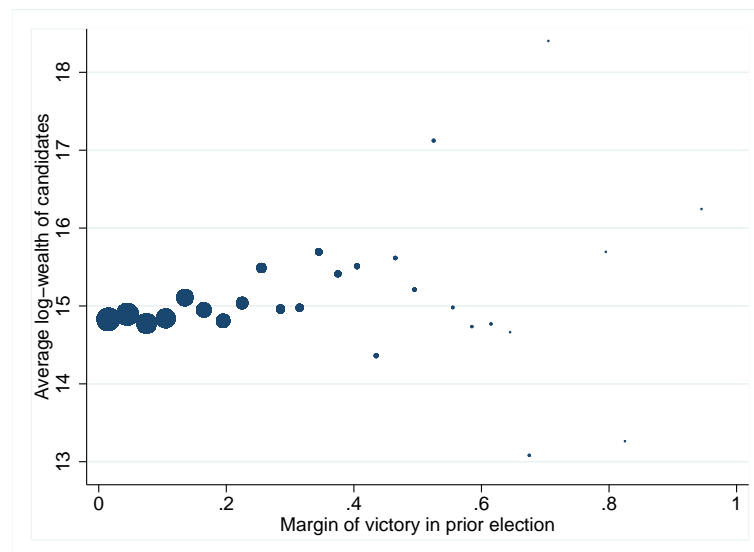
	(1)	(2)	(3)	(4)
Margin of victory in prior election	3.582*** (0.166)	3.756*** (0.166)	3.623*** (0.157)	2.660*** (0.169)
Incumbent party	-0.0548 (0.0576)	-0.112 (0.0571)	-0.0539 (0.0553)	-0.0132 (0.0542)
Incumbent X Prior margin of victory	-2.467*** (0.404)	-2.612*** (0.396)	-2.525*** (0.328)	-1.519*** (0.339)
Violent criminal charge	-0.0734 (0.0566)	-0.133* (0.0563)	-0.0182 (0.0541)	0.0524 (0.0552)
Non-violent charge	0.255*** (0.0689)	0.176* (0.0685)	0.245*** (0.0650)	0.221*** (0.0643)
Literary rate of district		0.431 (0.221)	-0.354 (0.324)	-0.220 (0.316)
Percent of population in urban areas		0.734*** (0.125)	0.494** (0.157)	0.512*** (0.150)
Percent of district pop. member of SC/ST		0.355* (0.166)	-0.197 (0.256)	-0.0585 (0.251)
Seat reserved for member of SC/ST		-0.810*** (0.0569)	-0.830*** (0.0516)	-0.836*** (0.0498)
Constant	14.83*** (0.0459)	14.54*** (0.115)	15.22*** (0.189)	15.85*** (0.288)
State FX	No	No	Yes	Yes
Party FX	No	No	No	Yes
Observations	7771	7758	7758	7758

Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

while nominating less wealthy candidates into seats that are reserved for members of a Scheduled Caste or Tribe.

Figure 5.5 and Table 5.3 take a closer look at whether there is a positive relationship between how well incumbent parties performed in their prior election and their candidates' wealth. As seen here, the relationship is positive and statistically significant at the 0.99 level, even with the inclusion of state and party level fixed effects.



**Figure 5.5:** Relationship between candidates' wealth and the prior electoral performance of the parties that nominated them for parties that won their prior election. State level elections, 2003-2007.

Note: The width of each bin is 3 percentage points. Each dot corresponds to the average wealth of candidates within the bin. The size of each dot is proportional to the number of candidates within the bin.

Figure 5.6 visually presents the results of a first difference analysis and shows that there is a positive relationship between parties' prior electoral performance and their candidates' wealth. Parties that were on the cusp of winning their prior race nominate candidates that are about 0.26 units (in natural log terms) wealthier than candidates nominated by parties that lost their prior race by 10 percentage points. Parties that won their prior race by 10 percentage points nominate candidates that



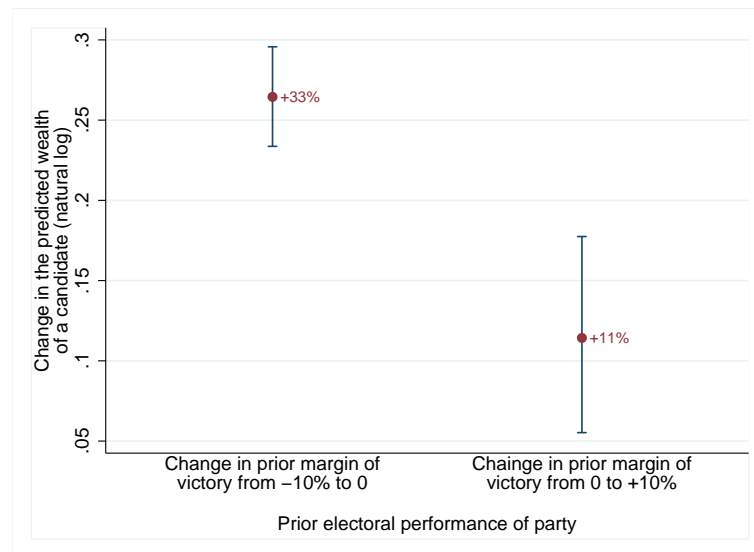
**Table 5.3:** Ordinary Least Squares analysis of the relationship between candidates wealth and the prior electoral performance of the party that nominated them. Analysis restricted to parties that won their prior election. State level election in India, 2003-2007. DV = Log wealth.

	(1)	(2)	(3)	(4)
Margin of victory in prior election	1.115** (0.342)	1.201*** (0.336)	1.240*** (0.291)	1.230*** (0.308)
Violent criminal charge	-0.157 (0.103)	-0.265** (0.102)	-0.149 (0.0946)	-0.0748 (0.0977)
Non-violent charge	0.195 (0.119)	0.0868 (0.116)	0.141 (0.104)	0.164 (0.106)
Literary rate of district		-0.228 (0.310)	-1.074* (0.474)	-0.968* (0.480)
Percent of population in urban areas		0.815*** (0.157)	0.810*** (0.186)	0.906*** (0.183)
Percent of district pop. member of SC/ST		0.155 (0.220)	-0.303 (0.325)	-0.176 (0.327)
Seat reserved for member of SC/ST		-0.870*** (0.0842)	-0.906*** (0.0774)	-0.878*** (0.0776)
Constant	14.79*** (0.0533)	14.86*** (0.168)	15.69*** (0.273)	8.932*** (0.328)
State FX	No	No	Yes	Yes
Party FX	No	No	No	Yes
Observations	2541	2535	2535	2535

Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

are about 0.11 units (in natural log terms) wealthier than parties that barely won their election. If we were to translate these results into non-logged values, then we can see that competitive parties nominate candidates that are 33 percent wealthier than candidates nominated by uncompetitive parties; and parties that won their seats safely nominate candidates that are 11 percent wealthier than candidates nominated by competitive parties.



**Figure 5.6:** First difference analysis of the change in the predicted wealth of candidates conditional on the prior electoral performance of their party. State level elections, 2003-2007.

These values were generated using an OLS model including both state and party level fixed effects. The number in parenthesis indicates the percentage change in real candidate wealth.

### 5.5.2 Are wealthier candidates more likely to win?

Thus far, I have shown that there is a positive relationship between how well parties performed in their prior election and how wealthy their candidates are in the current election. I now examine whether nominating wealthy candidates increases parties' chances of winning. In order to assess this, I estimate the probability a

party wins an election conditional on: (a) its prior margin of victory or defeat; (b) the self reported value of a candidate's financial assets; (c) a dummy variable indicating whether or not a party's candidate has a violent criminal record.

As shown earlier, parties nominate wealthy candidates according to how well parties performed in their prior elections. Because of this relationship, I control for parties' prior performance in order to rule out the possibility that wealthy candidates win more often because they are nominated into safer seats. I thus conduct this analysis on four different types of parties separately: (a) parties that lost their prior election by more than 10 percentage points; (b) parties that lost their prior election by less than 10 percentage points; (c) parties that won their prior election by less than 10 percentage points; and (d) parties that won their prior election by more than 10 percentage points.

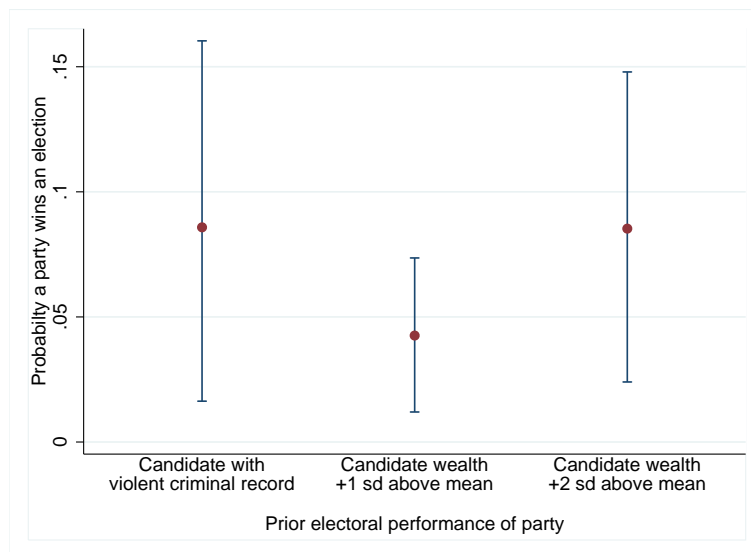
This approach thus estimates the degree to which nominating a wealthy candidate helps parties win relative to other parties that are in a similar competitive positions. Finally, there may be unobserved party and state level characteristics influencing whether or not wealthier candidates are more likely to win. To guard against this possibility, I include party and state level fixed effects.

Table 5.4 presents this analysis using a probit model, and Table 5.5 presents this analysis using linear probability model. I include the OLS estimates for ease of interpretation — the coefficient on the independent variables *Violent candidate* and *Candidate wealth* reflects the degree to which these factor increase parties' chances of winning a seat.

For parties that lost their prior election, either by more or less than 10 percentage points, nominating a wealthier candidate improves the chances they win their current election. A one unit increase in a candidate's wealth increases a party's chances of winning an uncompetitive seat by 1.5 percentage points; a

one unit increase in a candidate's wealth increases a party's chances of winning a seat it barely lost by about 2.3 percentage points. Note, the standard deviation of candidate wealth is 1.9, so a one unit increase in wealth corresponds to candidates that are 0.5 standard deviations wealthier.

Do parties realize a greater electoral benefit from nominating wealthier candidates or criminal candidates? According to the OLS results in Table 5.5, parties seem to realize a greater electoral benefit from nominating candidates with violent criminal records than wealthier ones. If we divide the coefficient of *Violent criminal charge* by the coefficient of *Candidate wealth*, we see that parties would have to nominate candidates that are substantially wealthier in order to match the electoral advantage candidates with violent criminal charges have. Uncompetitive parties would need to nominate candidates that are 2 units (or one standard deviation) wealthier; and parties that nearly won their prior election would have to nominate candidates that are about 3.75 units wealthier (nearly two standard deviations). These results should be interpreted with caution, however, as the standard error on the coefficient of *Violent criminal charge* is rather large (Figure 5.7).



**Figure 5.7:** First difference analysis of the probability a candidate wins an election, conditional on criminality and wealth for parties that lost their prior election by less than 10 percentage points. State level elections, 2003-2007. These values were generated using a probit model. The independent variables are whether a candidate had a violent criminal record, candidate wealth (natural log), and the electoral performance of the party in the prior election

**Table 5.4:** Probability a party wins an election conditional on whether if nominated a candidate charged with committing a violent crime and prior electoral performance. Probit Model. State level elections in India 2003-2007

	(1)	(2)	(3)	(4)
	Uncompetitive Parties	Near Winners	Near Losers	Relatively Dominant
Violent criminal charge	0.191* (0.101)	0.263*** (0.0989)	0.283** (0.120)	0.0420 (0.159)
Candidate wealth (natural log)	0.114*** (0.0172)	0.0737*** (0.0263)	0.0269 (0.0270)	0.0443 (0.0274)
Margin of victory in prior election	4.012*** (0.319)	4.765*** (1.475)	4.604*** (1.438)	2.153*** (0.528)
Constant	-0.136 (0.502)	-1.769*** (0.435)	-1.852*** (0.457)	-1.232 (1.070)
State FX	Yes	Yes	Yes	Yes
Party FX	Yes	Yes	Yes	Yes
Pseudo $R^2$	0.267	0.152	0.199	0.222
Observations	3377	1341	1289	1168

Standard errors in parentheses

Note: In Model 1, analysis was restricted to parties that lost their prior election by more than 10 percentage points.

In Model 2, analysis was restricted to parties that lost their prior election by less than 10 percentage points.

In Model 3, analysis was restricted to parties that won their prior election by less than 10 percentage points.

In Model 4, analysis was restricted to parties that won their prior election by more than 10 percentage points.

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

**Table 5.5:** Probability a party wins an election conditional on whether if nominated a candidate charged with committing a violent crime and prior electoral performance. Ordinary Least Squares Model. State level elections in India 2003-2007

	(1)	(2)	(3)	(4)
	Uncompetitive Parties	Near Winners	Near Losers	Relatively Dominant
Violent criminal charge	0.0306 (0.0204)	0.0868** (0.0337)	0.0945** (0.0388)	0.00466 (0.0418)
Candidate wealth (natural log)	0.0152*** (0.00246)	0.0231*** (0.00855)	0.00705 (0.00869)	0.0131 (0.00819)
Margin of victory in prior election	0.655*** (0.0504)	1.512*** (0.482)	1.448*** (0.459)	0.516*** (0.117)
Constant	1.117*** (0.141)	1.537*** (0.181)	0.277 (0.225)	0.825*** (0.185)
State FX	Yes	Yes	Yes	Yes
Party FX	Yes	Yes	Yes	Yes
Pseudo $R^2$				
Observations	3810	1420	1324	1217

Standard errors in parentheses

Note: In Model 1, analysis was restricted to parties that lost their prior election by more than 10 percentage points.

In Model 2, analysis was restricted to parties that lost their prior election by less than 10 percentage points.

In Model 3, analysis was restricted to parties that won their prior election by less than 10 percentage points.

In Model 4, analysis was restricted to parties that won their prior election by more than 10 percentage points.

\*  $p < 0.1$ , \*\*  $p < 0.05$ , \*\*\*  $p < 0.01$

## 5.6 Conclusion

This paper finds that there is a positive correlation between how well parties performed in their prior election and their candidates' wealth in the current election. I also find that nominating wealthier candidates helps parties win elections, though parties seem to enjoy a greater electoral advantage from nominating criminal candidates.

Take together, these results suggest that parties nominate their candidates rationally: They nominate candidates with the skills and resources to build their party organization into safer seats, while nominating candidates skilled at winning elections into competitive seats. These results also suggest that money is not the sole determinant of electoral success. If it were, we would expect parties to nominate their wealthiest candidates into their most competitive elections. Finally, the electoral advantages candidates with criminal records seemingly enjoy cannot be due to their wealth alone. Parties would have to nominate candidates that are two standard deviations wealthier in order to realize the same advantage they would realize from nominating criminal candidates, implying that the tactical advantages of criminal candidates are quite valuable.



## Chapter 6

# Are Criminal Legislators Bad Politicians? Legislator Quality and Parliamentary Effort in India

### 6.1 Introduction

In this dissertation, I argue that parties take into account the comparative advantages of their candidates and the level of competition they expect to face in electoral constituencies when deciding whom to nominate in elections. Their allocation of candidates resembles a division of labor, of sorts: Parties disproportionately nominate vote-generating candidates into competitive electoral constituencies, and they disproportionately nominate party-capacity building candidates, especially those who can help parties only when they win their elections, into safe constituencies. The logic underlying this process is relatively straight forward: Vote-generating candidates' utility to parties lies in their ability to deliver seats to parties, while party-capacity building candidates' utility to parties lies in their

ability to deliver benefits in between elections by helping parties improve their organizational capacity. Parties thus nominate these candidates into the types of electoral constituencies that benefit parties the most. Vote-generating candidates are nominated into constituencies where they can change elections' outcome; party-capacity building candidates are shielded from electoral competition and nominated into seats where parties expect to win.

In Chapter 3, I argue that in India candidates with violent criminal records are primarily vote-generating candidates and in Chapter 4, I empirically demonstrated that parties facing high levels of electoral competition are the most likely to nominate these candidates, which is consistent with my theory. In Chapter 5, I argue that wealthy candidates are primarily party-capacity building candidates and find that parties nominate their wealthiest candidates into their safest seats, which again, is consistent with my theory. I now turn my attention to the behavior of these two candidate types while in office after they win elections. Do vote-generating politicians and party-capacity building politicians exert the same level of effort while they are in office?

On the one hand, it is possible that all politicians, regardless of their type, will exert the same level of effort in office. This is because re-election oriented politicians will work to please the voters who elected them (Mayhew, 1974) and the party leaders who can help them win elections (Samuels, 1999*b*). In this way, both democratic pressures "from below," and pressure from party leaders "from above" can compel legislators to discharge their duties equally well.

On the other hand, different types of politicians may exert different levels of effort for two reasons. First, politicians' type might be a signal of their true preferences regarding their political careers and willingness to discharge their duties. In instances where voters cannot directly observe their legislators' effort, and where

party leaders are unable to enforce discipline, elected officials may seek to maximize their own well-being as opposed to their principals (Osborne and Slivinski, 1996; Besley and Coate, 1997). In this vein, party-capacity building politicians might exert more effort while in office so long as these politicians are more likely to seek a long career in politics. Given that parties nominate these candidates precisely because they can help parties improve their organizational capacity implies that these politicians do care about the well-being of their parties and are desirous of long political careers. As a result, I expect these politicians to exert more effort while in office compared to vote-generating candidates.

Second, it is possible that all elected officials have the same underlying desire to exert effort, and that they all prefer to shirk, but they differ in their ability to buck against the pressures from voters and party leaders. More concretely, we can imagine that vote-generating politicians — politicians who won office because of their personal effort and resources — are less reliant on using the levers of government to please voters and less reliant on party resources to win elections. As a result, these politicians are insulated from these pressures to perform well and instead, they choose to exert less effort. Non vote-generating candidates do not have the same ability to win elections, and thus cannot insulate themselves from the democratic pressures mentioned above.

This chapter examines if Members of Parliament (MPs) with criminal records exert less effort in parliament by comparing their attendance rate, participation in debates, and participation in question to non-criminal MPs. I find that MPs with violent criminal records attend parliament less often than their non-charged peers, though they do not differ with respect to their level of participation in debates and question hour. Wealthier MPs attend office less often than less wealthy, and there is suggestive evidence that they ask more questions during question hour.

Finally, there is suggestive evidence that MPs elected by a wide margin attend parliament less often and stronger evidence that they ask fewer questions during question hour than MPs who won marginal seats. I interpret these findings as evidence that legislators with the means to contest elections without relying on their parties' resources exert less effort while in office.

This chapter proceeds as follows. In section 2, I describe the nature of governance problems in India and how they relate to the quality of its elected representatives. In section 3, I argue that MPs who have been charged with committing violent crimes differ from their non-charged peers in two important respects: First, they might prefer to exert less effort while in office; second, MPs with violent criminal charges might have the resources to contest elections without support from their party, thus giving them the ability to buck their parties' pressure to exert effort. As a result, I hypothesize that these elected representatives will exert less effort while in office. In sections 4 and 5, I present my data and empirical strategy and in section 6, I discuss its results. Section 7 presents some concluding thoughts.

## **6.2 Why the quality of representatives matters**

India is poorly governed (Wade, 1985; Rubinoff, 1998; Keefer and Khemani, 2004; Spary, 2010). Between 2009, when the United Progressive Alliance (UPA) — a coalition led by the Indian National Congress (Congress Party) — successfully won office for a second time — and 2013, there have been a series of high profile corruption scandals costing the government billions of dollars (BBC Online, April 18 2013). Corruption and poor governance are also facts of daily life at lower levels of government: The bureaucracy is notoriously inefficient and has become

an excellent source of rents for politicians (Bussell, 2012) and a breeding ground for political middlemen and fixers who engage in petty corruption on behalf of ordinary citizens (Oldenburg, 1987; Manor, 2000; Khanna and Johnston, 2007).

These problems have not gone unnoticed by India's reformist community, which has been pressuring public officials for decades to adopt reforms aimed at increasing the quality of elected representatives. The focus on elected representatives is justified: They directly affect bureaucratic outcomes and are collectively responsible for formulating policies, engaging in oversight, and holding party leaders accountable (Searing, 1994; Strøm, 1997). By giving citizens a voice in selecting the type of politician (or politicians) responsible for discharging these duties, it is thought that democratic competition creates incentives for parties to nominate honest and competent politicians. However, this is only possible if citizens themselves are fully informed about the background and capabilities of candidates and parties (Caselli and Morelli, 2004; Besley, 2005). In low information environments, unscrupulous agents may enter politics in an attempt to extract rents from the state.

To that end, reformists have lobbied for policies that inform voters about the characteristics of electoral candidates, such as the Supreme Court ruling that mandated all candidates for public office to publicly disclose their criminal and financial backgrounds. By placing this information in the public domain, it was hoped that voters would punish parties for nominating candidates with undesirable traits, like the possession of criminal records. The release and analysis of these data has revealed the opposite: Parties nominate candidates with criminal records and these candidates win a disproportionate share of elections: In the 2004, 2009, and 2014 national parliamentary elections, nearly 14 percent of all non-independent candidates reported having a criminal record while roughly 25 percent of winning

candidates did. Perhaps even more surprisingly, the proportion of candidates and elected representatives with criminal records has not declined over time, despite the fact that this information has been in the public domain for nearly a decade.

Regardless of whether or not this reform succeeds in reducing the presence of candidates with criminal records in elections, the degree to which it can improve the quality of governance is based on the idea that “better” parliamentarians will result in a better parliament. This assumption cannot be taken for granted as it is entirely possible to have a legislature free of criminally tainted politicians, yet still have a political class that is consistently engaged in corrupt behavior.

One way to determine if removing criminal MPs will result in better governance is to compare the behaviors and actions of criminal and non-criminal MPs during their tenure in the Lok Sabha. If criminal MPs exert less effort than non-criminal MPs, then it is possible that these reforms can improve governance: Increasing the supply of elected representatives without criminal charges would be akin to increasing the supply of MPs who are willing to exert effort. On the other hand, if there are no observable differences between these two types of MPs, then this either implies that the concerns about the criminalization of Indian politics are overblown or that India’s governance problem extends well beyond the presence of alleged criminals in government.

### **6.3 Criminology and Parliamentary Effort**

Elected representatives are tasked with several responsibilities. They are expected to contest elections, perform constituency service, attend parliament, draft/review legislation, participate in committee meetings, and engage in executive oversight (Searing, 1994; Strøm, 1997). Some of these activities serve to improve the

well-being of politicians themselves, and many of these activities serve to improve the collective well-being of the party. As is the case with all collective goods, individuals who stand to benefit from their provision also have a strong incentive to shirk and exert less effort (Olson, 1965). Given this dynamic, why do politicians bother exerting any effort at all?

Elected representatives might exert effort while in office because of the “electoral connection” (Mayhew, 1974). Individuals aiming for a career in politics have an incentive to exert effort toward the types of activities that voters find attractive. To the extent that voters reward politicians for attending office and discharging their duties responsibly, politicians have an incentive to act accordingly. In this way, elections operate both as a screening device ridding a polity of potentially bad politicians (Besley, 2005), and they function as an institutional check on incumbent politicians by encouraging them to equitably and competently discharge their fiduciary duties (Ferejohn, 1986).

While the electoral connection can encourage politicians to engage in the types of activities that can lead to re-election, it still does not explain why politicians exert effort toward activities that are unrelated to their electoral well-being. Politicians might decide to exert effort while in office because they are responsive to the pressures exerted “from above” by party leaders, in addition to being responsive to the democratic pressures “from below.” Political parties can encourage their members to exert effort toward the realization of collective goals by providing selective incentives such as membership to valuable committees (Rohde, 1991) and the promise of career advancement. When the incentives of party leaders and individual members are not aligned, parties can resort to coercive measures to ensure compliance. Tools at their disposal may include the power to expel members from the party, or the decision to withhold resources that can help politicians win

re-election (Samuels, 1999*a*).

Thus to summarize, MPs are willing to exert effort while in office because of: (a) their desire to be re-elected; (b) their desire for career advancement within a party; and (c) the ability of parties and party leaders to coerce MPs into working on behalf of their parties. It stands to reason that MPs who can insulate themselves from electoral pressures, have career options outside of politics, and have the resources to buck pressure from party leadership, also have the freedom to exert less effort while in office — should they have the desire to do so.

Do MPs in India with criminal records have the resources to insulate themselves from party pressure? Do they simply prefer to shirk from discharging their public duties? Addressing the latter question first, MPs' criminal status might act as a marker for their "type", and just as their "type" is correlated with governance outcomes (Chattopadhyay and Duflo, 2004; Besley, 2005; Jones and Olken, 2005; Ferraz and Finan, 2008), so could the criminal identity of MPs serve as a signal of their true, rent-seeking, inclinations. Thus the important question to answer is: Are MPs' criminal statuses indicative of their personal inclinations to seek rents over discharging their parliamentary duties?

It is important to note that thus far, there is no systematic evidence tying politicians with criminal *records* to a particular space in the Indian political economy (e.g. organized crime); nor does systematic evidence exist about their motivations, policy preferences, or rent seeking inclinations. There is qualitative evidence, however, that parties frequently engage in illegal activity and cooperate with criminal gangs in order to extract rents (Berenschot, 2008; Vohra, 1993; Verma, 2005; Kapur and Vaishnav, 2011). Studies have also speculated that over time, criminals themselves have decided to enter politics and contest elections, thus contributing to the phenomenon of the criminalization of Indian politics (Vohra,



1993; Seshan, 1995; Kochanek, 2010).

Ethnographic and government research argue that political parties and organized crime engage in cooperative behavior and have formed a “criminal-political” nexus (Vohra, 1993; Berenschot, 2008). Political actors use their influence over the state to shield criminals from state scrutiny, thus allowing them to accumulate rents. Criminals return the favor and help politicians during elections by using their resources to mobilize voters, protect politicians during contentious elections (Berenschot, 2008), and engage in illicit electoral strategies by mobilizing clientelistic networks (Vohra, 1993) and engaging in acts of violence against voters (Verma, 2005; Weinstein, 2008).

Criminal gangs are also used by politicians and citizens to settle disputes and to mediate the relationship between citizens and the state (Berenschot, 2008). In this light, organized crime not only exists as a criminal enterprise, but also as an alternative form of government giving criminals both an incentive to enter politics (in order to accumulate more rents) and the resources to contest them. Candidates emerging from this nexus may be more likely to have a criminal record (due to their close association with criminal activity), have the resources and political base to contest elections, and have an incentive to pursue activities that benefit the narrow slice of the electorate they represent: The criminal-political nexus. If MPs with criminal records are much more likely to have been part of this nexus in the past, then I expect that MPs’ criminal status is indicative of their preferences to work on behalf of their illicit constituents, and thus they exert less effort within the halls of government.

A second reason MPs with criminal records might exert less effort in parliament is that they have the resources to contest elections with minimal assistance from their parties. Politicians who are less reliant on parties to win elections are

insulated from the pressures of party leadership — whose main tools for enforcing discipline are tied to their ability to shape the electoral destiny of their candidates — thus giving these politicians the opportunity to pursue their own agenda (Tavits, 2009*a,b*). In this vein, criminal MPs exert less effort not because they are “bad politicians” per se’, but because they have the freedom to do what they wish.

Are MPs with criminal records somehow at an electoral advantage compared to their non-charged peers? Recall that in Chapter 3, I argued that politicians with criminal records are primarily skilled at generating votes because of their wealth, their ability to engage in illicit electoral strategies, and their ability to cultivate a personal vote. Furthermore, in Chapter 4, I empirically demonstrated that these candidates are more likely to win elections, despite the fact that they are nominated into highly competitive constituencies. Taken together, I argue that parties nominate candidates with criminal records because of their ability to win elections in constituencies where the party-vote is not large enough to assure victory.

Combing these logics that: (a) Members of Parliament with criminal records are more likely to be associated with illegal activities and are more inclined to seek rents; and (b) Members of Parliament with criminal records have the resources to compete in elections with minimal support from their party, I hypothesize the following:

Hypothesis:

*H1: Members of Parliament with criminal records will exert less effort in Parliament compared to MPs without criminal records.*

## 6.4 Data

I analyze data from a variety of source to examine the relationship between the criminality of Members of Parliament and their level of effort while in office. Data related to MPs' effort are provided by PRS Legislative Research (PRS). PRS compiles data on the attendance rate of MPs, the number of debates they participated in, and the number of questions they submitted during question hour. These data cover MPs who were elected in the 2004 or 2009 Lok Sabha elections and are available on their website.<sup>1</sup>

I restrict analysis to MPs who were elected in the general elections of 2004 or 2009 (MPs elected in bye elections are omitted). For MPs elected in 2004, I remove representatives who did not stay in office throughout their entire term from the data set; for MPs elected in 2009, I remove representatives who did not serve through December of 2013.<sup>2</sup> Ministers are also dropped because they are members of the executive branch and finally, the data from PRS are missing information for 48 of the remaining MPs.

I use data from the self-reported affidavits that all candidates are required to file with the Election Commission of India to identify whether MPs has been charged with committing a crime and the value of their financial assets. Copies of the original affidavits are posted online at the Election Commission of India's website.<sup>3</sup> These data are digitized, compiled, and posted online by the Association for Democratic Reforms, an NGO based in New Delhi.<sup>4</sup> Unfortunately, wealth

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<sup>1</sup>PRS compiles information on a variety of topics ranging from the activities of MPs to policy briefs on pending legislation. <http://www.prsindia.org/mptrack/loksabha>

<sup>2</sup>The most recent version of this paper was updated in January of 2014. The data provided by PRS in this paper are as up to date as possible.

<sup>3</sup>The Election Commission of India posts scanned copies of the original affidavits on their website. These affidavits are digitized and posted online by a NGOs in India. [http://eci.nic.in/eci\\_main1/LinktoAffidavits.aspx](http://eci.nic.in/eci_main1/LinktoAffidavits.aspx)

<sup>4</sup>The Association for Democratic Reforms posts candidate affidavits in a downloadable format on their website. <http://adrindia.org/>

data are missing for 16 representatives. In the end, the analysis dataset consists of 806 Members of Parliament elected in the 2004 or 2009 general elections. Control variables for the partisan affiliation of MPs and their electoral performance are taken from electoral data provided by the Election Commission of India.

### 6.4.1 Dependent Variables

The dependent variables of interest are: (a) an MP's attendance rate for parliamentary sessions; (b) the number of debates an MP participated in; and (c) the number of questions an MP asked during question hour. The summary statistics of the variables used in this analysis are provided in Table 6.1.

**Table 6.1:** Summary statistics of selected variables pertaining to Members of Parliament elected in 2004 and 2009. Observations restricted to MPs that were elected in the general election and remained in office throughout the parliamentary term.

	N	Mean	SD	Min	Max
Attendance Rate	819	0.75	0.16	0.06	1.00
Number of Debates	820	36.67	44.63	0.00	419.00
Number of Questions	820	252.86	255.13	0.00	1,255.00
Violent Criminal Record	867	0.16	0.37	0.00	1.00
Non-violent Criminal Record	867	0.11	0.31	0.00	1.00
Margin of Victory	867	0.11	0.10	0.00	0.70
Log Value of Financial Assets	851	15.91	1.59	8.74	21.28
Multiple Time Winner	867	0.30	0.46	0.00	1.00
Member of INC	867	0.29	0.45	0.00	1.00
Member of BJP	867	0.25	0.43	0.00	1.00

*Attendance rate* is a continuous variable representing the proportion of plenary sessions of an MP attended during each Lok Sabha term. As seen in Figure 6.1, the attendance rates of MPs are highly varied ranging from 0.06 to 1 and are skewed toward 1. Because it is impossible for MPs to have an attendance rate greater than one or less than zero, I use a tobit mode to analyze the impact of

criminality on an MP's attendance rate.

*Debates* is a count variable representing the number of debates an MP participated in during each Lok Sabha term. According to PRS, this variable measures the number of times an MP spoke in Parliament including debates.<sup>5</sup> Its total value is thus a function of MP effort and other considerations related to an MP's partisan affiliation, described below.

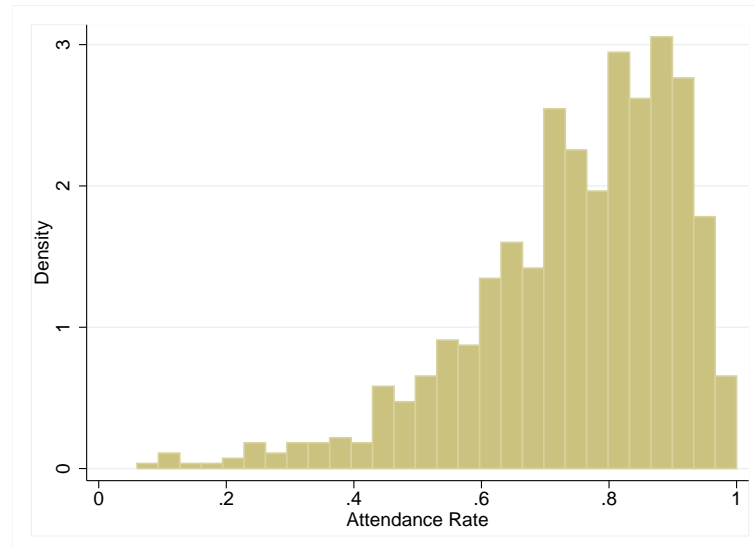
The amount of time parties are allotted for debates is directly proportional to their seat share in the Lok Sabha. Furthermore, participants in debates are chosen by party leaders (Kaul and Shakhder, 2009). Because of these structural features, MPs' level of participation in debates may be less of a reflection of their willingness to exert effort and more of a reflection of their party affiliation and stature within a party. I control for the former by including party level fixed effects, and I discuss the implications of the latter issue in a later section.

*Questions* is a count a variable representing the number of questions an MP submitted during question hour for each Lok Sabha term. Question hour occurs in every day the Lok Sabha is in session and all non-minister members are eligible to participate. MPs submit their questions to the Speaker of the House indicating if they want to ask a question orally or in written form (both forms of questions are counted as a question in the PRS data). If a question is deemed eligible by the Speaker, then it is placed on the parliamentary agenda (if it is an oral question) or forwarded to the relevant member of the executive branch (in the case of written questions) (Kaul and Shakhder, 2009).

As seen in Figures 6.2 and 6.3, there is a great deal of variation across MPs with respect to their participation in debates and question hour. On average, MPs participated in 37 debates, and the most prolific debater participated in 419 debates.

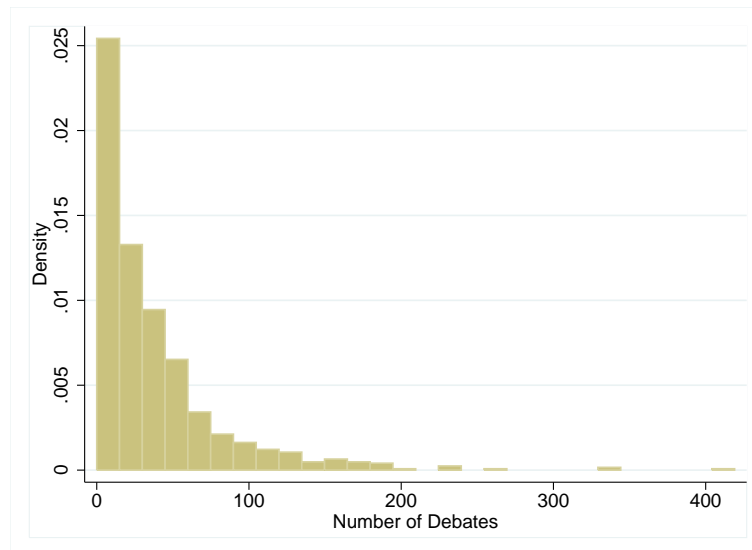
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<sup>5</sup>According to an informal interview conducted with this NGO during the author's fieldwork.

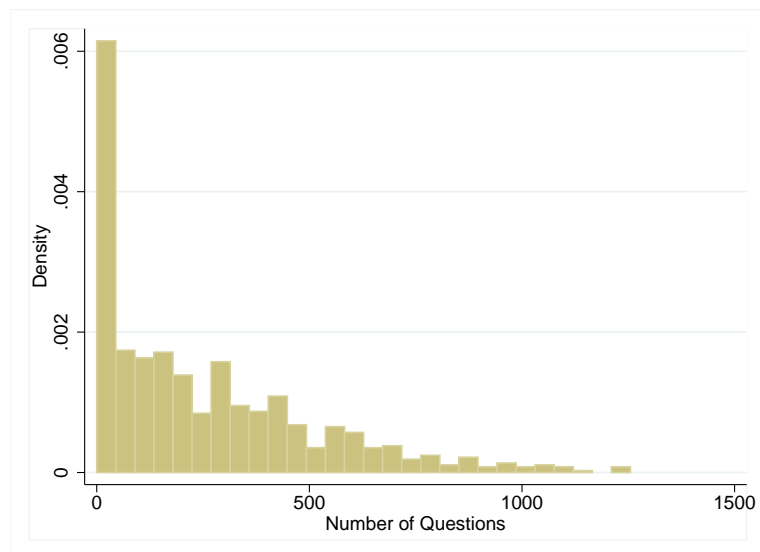


**Figure 6.1:** Distribution of the attendance rates of Members of Parliament. Observations restricted to representatives elected in the 2004 or 2009 Lok Sabha elections who have served their entire term.

46 MPs, accounting for nearly 5 percent of observations, did not participate in any debates. Correspondingly, the average number of questions asked by MPs in this sample is 252, ranging from zero (64 MPs asked no questions) to 1,255. Because these are count variables and do not take non-integer or non-negative values, I use a negative binomial model to analyze the impact of an MP's criminal status on these measures.



**Figure 6.2:** Distribution of the number of debates Members of Parliament participated in while in office. Observations restricted to representatives elected in the 2004 or 2009 Lok Sabha elections who have served their entire term.



**Figure 6.3:** Distribution of the number of questions asked by Members of Parliament during question hour. Observations restricted to representatives elected in the 2004 or 2009 Lok Sabha elections who have served their entire term.

### 6.4.2 Independent Variables

The independent variables of interest relate to whether an MP reports that he or she has ever been charged with committing a crime. *Violent* is a binary variable that takes the value of one if an MP reports having a violent criminal record and is zero otherwise. *Non-violent* is a binary variable that takes the value of one if an MP reports that he or she has ever been charged with committing a crime and that none of those charges are related to acts of violence.

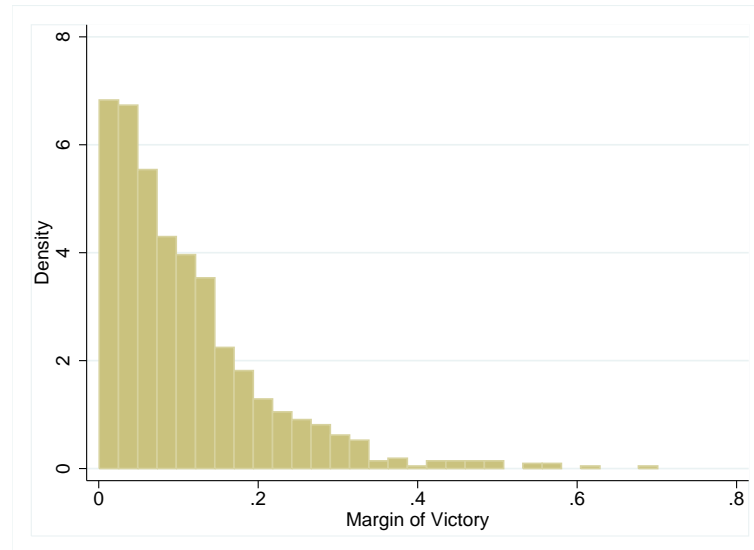
In their affidavits, candidates are required to disclose the statute numbers they are accused of violating and the Association for Democratic Reforms reports these data on their website. I use these statute numbers to classify MPs as either committing violent or non-violent crimes — if they have been charged at all. In the data analyzed here, 27 percent of MPs have a criminal record; 16 percent of MPs report that they have been charged with committing a violent crime, leaving 11 percent of all MPs being charged with non-violent crimes.

### 6.4.3 Controls

In addition to their criminal status, MPs' level of political skill, wealth, and partisan affiliation can also determine how much effort they exert while in office. Highly skilled politicians, and those with the ability to contest elections with minimal party support, can buck party pressures and pursue their own agenda, even if this means shirking from their parliamentary duties. I control for these possibilities by including an MP's margin of victory, incumbency status, and the value of its financial assets as covariates.

*Margin of victory* measures how many percentage points an MP won its election by. It is calculated by subtracting the vote-share of the second place





**Figure 6.4:** Distribution of the margin of victory of Members of Parliament. Observations restricted to representatives elected in the 2004 or 2009 Lok Sabha elections who have served their entire term.

candidate from the vote-share of the MP. Figure 6.4 presents a histogram of the margin of victory of Members of Parliament who are included in the analysis data set. As seen here, elections in India are quite competitive: The average margin of victory is 11 percentage points and 58 percent of MPs won their seat by less than 10 percentage points.<sup>6</sup> The closeness of these races, coupled with the fact that incumbent politicians are less likely to win their subsequent races (Linden, 2004; Uppal, 2009), suggests that a high proportion of MPs are electorally vulnerable, and hence reliant, on their parties' support to win elections. As a result, I expect that there is a negative relationship between an MP's margin of victory and effort in parliament.

*Multiple winner* is a binary variable that takes a value of one if an MP was a Member of Parliament in the prior session and is zero otherwise. In 2004 and 2009, 30 percent of MPs were members of the Lok Sabha in the previous government

<sup>6</sup>On average, parties that won their prior elections lose an average 5 percentage points of vote-share. Parties winning by 10 percentage points are thus likely to be in a dead heat in their next elections.

(Table 6.1). Put differently, 70 percent of the Lok Sabha consists of first time Members of Parliament. Given the aforementioned difficulty MPs face in winning multiple elections, representatives with prior legislative experience may be higher skilled than first time members (Jacobson, 1989).

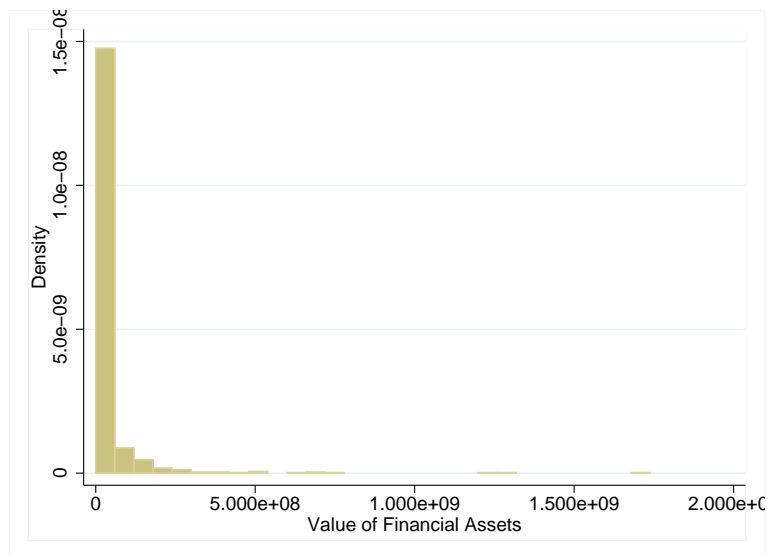
Are these experienced legislators more or less likely to exert effort while in office? Two contradictory predictions can be made about MPs that have won more than one election. On the one hand, these MPs may require less party support during elections and are thus less beholden to their parties' desires. On the other hand, these MPs may be individuals who have longer term political aspirations and thus participate *more* in parliament in a bid to win favor with party leaders and get promoted within its ranks.

*Log wealth* is the natural log of the self reported value of an MP's financial assets. Due to the fact that the distribution of absolute wealth is marked with the presence of a few extremely wealthy candidates (Figure 6.5), its natural log is calculated to generate a normal distribution for analytical purposes (Figure 6.6). The median value of the financial assets of Members of Parliament is roughly 7 million INR, equivalent to about 116,000 USD.<sup>7</sup> By definition, wealthy MPs are less likely to be reliant on party resources. As a result, I expect that there is a negative relationship between wealth and an MP's level of effort in office.

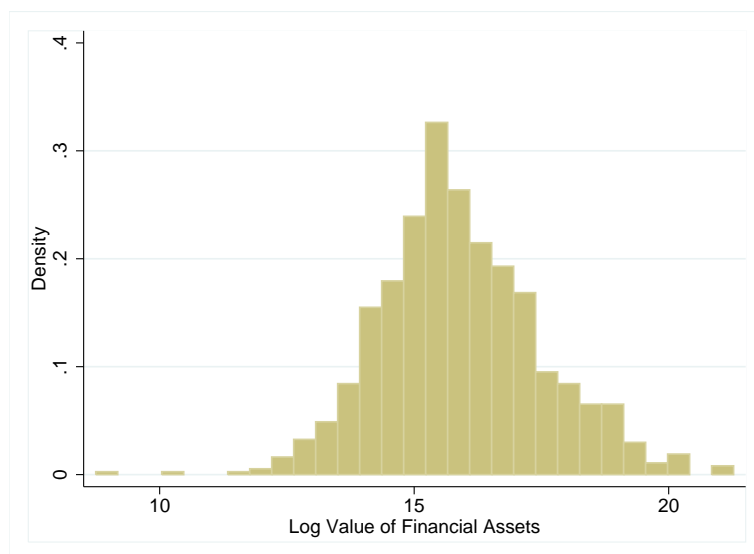
Finally, I control for whether MPs are members of the Congress Party or the Bharatiya Janata Party (BJP), the two largest and most prominent parties in India. Between 2004 and 2014, the Congress Party has governed India as the central member of a large multi-party coalition, the United Progressive Alliance (UPA). During this time, the BJP has acted as its chief opposition as the central member of the National Democratic Alliance. Due to their size and prominence, I

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<sup>7</sup>This figure was calculated by using an exchange rate of 60 INR to 1 USD



**Figure 6.5:** Distribution of the wealth of Members of Parliament. Observations restricted to representatives elected in the 2004 or 2009 Lok Sabha elections who have served their entire term.



**Figure 6.6:** Distribution of the logged-wealth of Members of Parliament. Observations restricted to representatives elected in the 2004 or 2009 Lok Sabha elections who have served their entire term.

expect that MPs belonging to these parties will exert more effort in Parliament than MPs belonging to smaller regional parties for two reasons. First, both the Congress Party and the BJP may be in a privileged position to recruit “good” politicians — those with a desire to exert effort toward their fiduciary duties; and second, these parties may have the resources and organizational strength to compel their members to participate in parliamentary activities. To that end, the binary variables *INC* and *BJP* are used with each taking a value of one if an MP was a member of the Congress Party or the BJP, respectively, and is zero otherwise.

Finally the binary variable, *Elected in 2009*, denotes whether an MP was elected in the 2009 elections; all other MPs were elected in 2004.

## 6.5 Analysis and Results

I test my hypothesis that MPs with criminal records exert less effort while in office by examining the impact of an MP’s criminal status on each of my measures of effort. I use a tobit model to analyze *Attendance rate* and a negative binomial model to analyze *Debates* and *Questions*.

For each dependent variable there are four empirical models. Model 1 includes the personal attributes of MPs as covariates: *Violent*, *Non-violent*, *Margin of victory*, *Log Wealth* and *Multiple winner*. Model 2 adds *INC* and *BJP* as covariates; Model 3 adds state level fixed effects; and in Model 4, *INC*, *BJP*, and state level fixed effects are removed while party level fixed effects are used instead.

### 6.5.1 Regression Analysis

Tables 6.3 to 6.5 present the results of the empirical analyses mentioned above. Recall that a negative coefficient on each of the variables means that the

impact of each covariate is associated with less effort being exerted by MPs. Table 6.3 shows that MPs with a violent or non-violent criminal charge attend parliament less often than their non-criminal peers. The coefficient of *Violent* is statistically significant at the 99.9 percent level and is robust to the inclusion of party and state level fixed effects. The coefficient of *Non-violent* is statistically significant at the 95 percent level in Models 1 - 3, while the inclusion of state level fixed effects reduces its statistical significance but not the magnitude of the point estimate (the p-value in this model is roughly 0.06). All told, Members of Parliament who have been accused with committing violent crimes attend parliament roughly 7 percent less than their peers — and less often as MPs who have been charged with committing non-violent crimes. These representatives attend office 3 to 4 percent less often.

There is a negative relationship between an MP's wealth and attendance rate. This relationship is statistically significant to the 99.9 percent level and is robust to the inclusion of state and party level fixed effects. MPs who are one standard deviation wealthier than the average MP attend office 2 to 3 percentage points less often. Finally, members of the Congress Party attend office more often than MPs belonging to other parties. This may be due to the fact that as the governing party, the attendance of its party members is required in order to pass legislation.

Tables 6.4 and 6.5 analyze the impact of the criminality of MPs on their participation in debates and question hour, respectively. In both cases, there is no statistically significant difference in the level of participation between criminal and non-criminal MPs. With regards to participation in debates, there is suggestive evidence that wealthier MPs participate in fewer debates. In Model 1, the impact of wealth on debate participation is statistically significant to the 99.9 percent level though the inclusion of additional controls and fixed effects reduces — and when

**Table 6.2:** Tobit analysis of the impact of criminality on Members of Parliament's attendance rate. DV = Attendance rate.

	(1)	(2)	(3)	(4)
model				
Violent Criminal Record	-0.0775*** (0.0147)	-0.0702*** (0.0147)	-0.0680*** (0.0142)	-0.0690*** (0.0141)
Non-violent Criminal Record	-0.0403* (0.0176)	-0.0378* (0.0174)	-0.0355* (0.0165)	-0.0323 (0.0165)
Multiple Time Winner	-0.0232 (0.0122)	-0.0166 (0.0122)	-0.00544 (0.0116)	-0.0172 (0.0116)
Margin of Victory	-0.0379 (0.0556)	-0.0371 (0.0553)	-0.112* (0.0556)	-0.0643 (0.0543)
Log Value of Financial Assets	-0.0163*** (0.00353)	-0.0191*** (0.00359)	-0.0147*** (0.00370)	-0.0164*** (0.00359)
Elected in 2009	0.0854*** (0.0116)	0.0858*** (0.0115)	0.0788*** (0.0108)	0.0965*** (0.0110)
Member of INC		0.0450*** (0.0134)	0.0553*** (0.0146)	
Member of BJP		-0.0121 (0.0134)	0.00747 (0.0162)	
Constant	0.993*** (0.0556)	1.023*** (0.0556)	0.877*** (0.113)	1.034*** (0.0743)
sigma				
Constant	0.154*** (0.00385)	0.153*** (0.00381)	0.141*** (0.00352)	0.140*** (0.00349)
State FX	No	No	Yes	No
Party FX	No	No	No	Yes
Pseudo $R^2$	-0.149	-0.175	-0.383	-0.401
Observations	806	806	806	806

Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

state level fixed effects are included removes — statistical significance. Interestingly enough, members of the Congress Party participate in fewer debates.

With regards to participation in question hour, MPs who won their seat by a wide margin ask fewer questions than MPs who barely won their elections. This indicates that MPs elected in competitive environments exert more effort during question hour than those who won their seats safely. Finally, there is suggestive evidence that wealthier MPs participate more during question hour. Depending on the model that is being examined, the statistical significance varies from the 90 percent level to the 95 percent level, though the magnitude of the point estimate is more or less the same.

**Table 6.3:** Tobit analysis of the impact of criminality on Members of Parliament's attendance rate. DV = Attendance rate.

	(1)	(2)	(3)	(4)
model				
Violent Criminal Record	-0.0775*** (0.0147)	-0.0702*** (0.0147)	-0.0680*** (0.0142)	-0.0690*** (0.0141)
Non-violent Criminal Record	-0.0403* (0.0176)	-0.0378* (0.0174)	-0.0355* (0.0165)	-0.0323 (0.0165)
Multiple Time Winner	-0.0232 (0.0122)	-0.0166 (0.0122)	-0.00544 (0.0116)	-0.0172 (0.0116)
Margin of Victory	-0.0379 (0.0556)	-0.0371 (0.0553)	-0.112* (0.0556)	-0.0643 (0.0543)
Log Value of Financial Assets	-0.0163*** (0.00353)	-0.0191*** (0.00359)	-0.0147*** (0.00370)	-0.0164*** (0.00359)
Elected in 2009	0.0854*** (0.0116)	0.0858*** (0.0115)	0.0788*** (0.0108)	0.0965*** (0.0110)
Member of INC		0.0450*** (0.0134)	0.0553*** (0.0146)	
Member of BJP		-0.0121 (0.0134)	0.00747 (0.0162)	
Constant	0.993*** (0.0556)	1.023*** (0.0556)	0.877*** (0.113)	1.034*** (0.0743)
sigma				
Constant	0.154*** (0.00385)	0.153*** (0.00381)	0.141*** (0.00352)	0.140*** (0.00349)
State FX	No	No	Yes	No
Party FX	No	No	No	Yes
Pseudo $R^2$	-0.149	-0.175	-0.383	-0.401
Observations	806	806	806	806

Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$



**Table 6.4:** Negative Binomial analysis of the impact of criminality on the number of debates Members of Parliament participated in. DV = Debates.

	(1)	(2)	(3)	(4)
Number of Debates				
Violent Criminal Record	-0.148 (0.109)	-0.184 (0.109)	-0.141 (0.110)	-0.163 (0.112)
Non-violent Criminal Record	-0.0538 (0.129)	-0.0456 (0.129)	-0.0364 (0.129)	0.00917 (0.130)
Multiple Time Winner	0.0615 (0.0914)	0.0171 (0.0925)	0.0494 (0.0932)	-0.0277 (0.0957)
Margin of Victory	0.234 (0.429)	0.180 (0.429)	0.132 (0.444)	0.334 (0.450)
Log Value of Financial Assets	-0.100*** (0.0275)	-0.0769** (0.0284)	-0.0446 (0.0295)	-0.0561 (0.0307)
Elected in 2009	0.244** (0.0873)	0.228** (0.0870)	0.195* (0.0857)	0.300*** (0.0894)
Member of INC		-0.309** (0.102)	-0.246* (0.110)	
Member of BJP		-0.0513 (0.0983)	0.113 (0.124)	
Constant	5.048*** (0.430)	4.800*** (0.436)	4.560*** (0.874)	4.785*** (0.627)
lnalpha				
Constant	0.234*** (0.0474)	0.224*** (0.0475)	0.137** (0.0483)	0.161*** (0.0480)
State FX	No	No	Yes	No
Party FX	No	No	No	Yes
Pseudo $R^2$	0.002	0.004	0.014	0.012
Observations	807	807	807	807

Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

**Table 6.5:** Negative Binomial analysis of the impact of criminality of the number of questions asked by Members of Parliament. DV = Questions.

	(1)	(2)	(3)	(4)
Number of Questions				
Violent Criminal Record	0.194 (0.126)	0.192 (0.127)	0.0790 (0.131)	0.105 (0.128)
Non-violent Criminal Record	0.0978 (0.151)	0.0949 (0.152)	-0.0303 (0.149)	0.109 (0.151)
Multiple Time Winner	-0.00135 (0.105)	-0.00193 (0.106)	0.0000382 (0.109)	-0.0484 (0.108)
Margin of Victory	-1.433** (0.528)	-1.446** (0.532)	-1.247* (0.556)	-1.425** (0.545)
Log Value of Financial Assets	0.0593* (0.0302)	0.0608 (0.0311)	0.0548 (0.0333)	0.0608 (0.0328)
Elected in 2009	0.341*** (0.0997)	0.340*** (0.0997)	0.377*** (0.0991)	0.378*** (0.102)
Member of INC		-0.0231 (0.117)	-0.0394 (0.134)	
Member of BJP		-0.0188 (0.116)	0.0553 (0.148)	
Constant	4.490*** (0.474)	4.480*** (0.478)	5.043*** (1.032)	4.687*** (0.679)
Inalpha				
Constant	0.561*** (0.0451)	0.561*** (0.0451)	0.492*** (0.0456)	0.474*** (0.0457)
State FX	No	No	Yes	No
Party FX	No	No	No	Yes
Pseudo $R^2$	0.003	0.003	0.010	0.012
Observations	807	807	807	807

Standard errors in parentheses

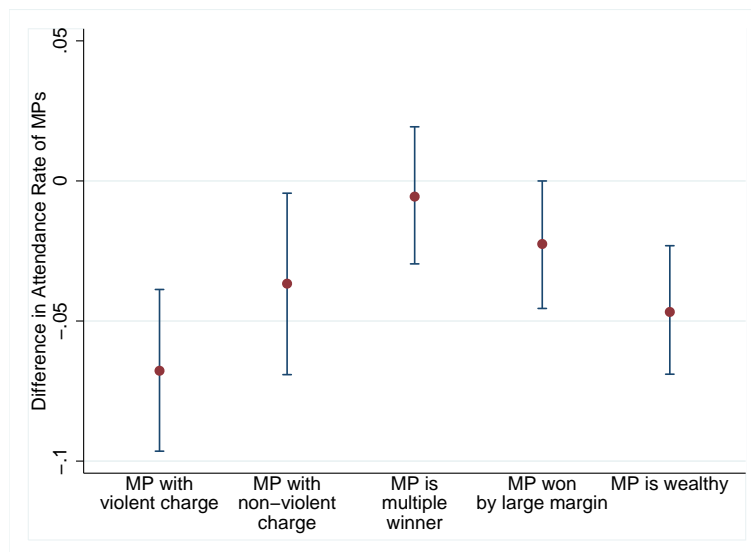
\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

### 6.5.2 First Difference Analysis

Figures 6.7 to 6.9 visually present the results of a first-difference analysis conducted on each of the dependent variables analyzed thus far. For the binary independent variables of interest (*Violent*, *Non violent*, *Multiple winner*), the predicted difference in participation is calculated by varying each of these covariates between one and zero — holding all other variables constant. The y-axis thus measures the predicted first difference in participation between MPs who have a violent criminal record and those who do not, for example.

For the continuous variables of interest, *Log wealth* and *Margin of Victory*, the first difference is calculated by simulating an MP's level of participation and setting the value of the independent variable at one standard deviation greater than the mean, and subtracting from that the predicted value when setting the value of the independent variable at one standard deviation below the mean. Thus, the impact of an MP's level of wealth on participation is estimated by varying *Log wealth* between 17.5 and 14.32; and the impact of an MP's electoral performance on participation is estimated by varying *Margin of Victory* between 0.209 and 0.009. These values are generated using Model 3 (thus including state level fixed effects), while all other covariates are set at their mean values or zero if they are binary variables.

Figure 6.7 presents the results of the first difference analysis for parliamentary attendance. These results suggest that MPs with the resources to contest elections without party support attend parliament less often. MPs charged with committing crimes attend parliament less often than non criminal MPs, and those charged with committing violent crimes have a lower attendance rate than MPs charged with only non-violent crimes (-6.8 percent compared to -3.6 percent). Wealthy MPs also attend less often than non-wealthy MPs (wealth makes an impact of -4.6 percent),

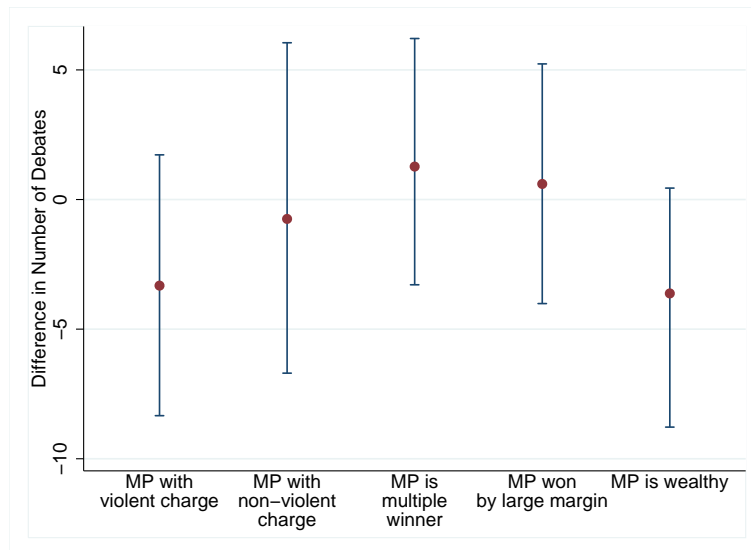


**Figure 6.7:** Impact of selected covariates on the predicted attendance rate of Members of Parliament.

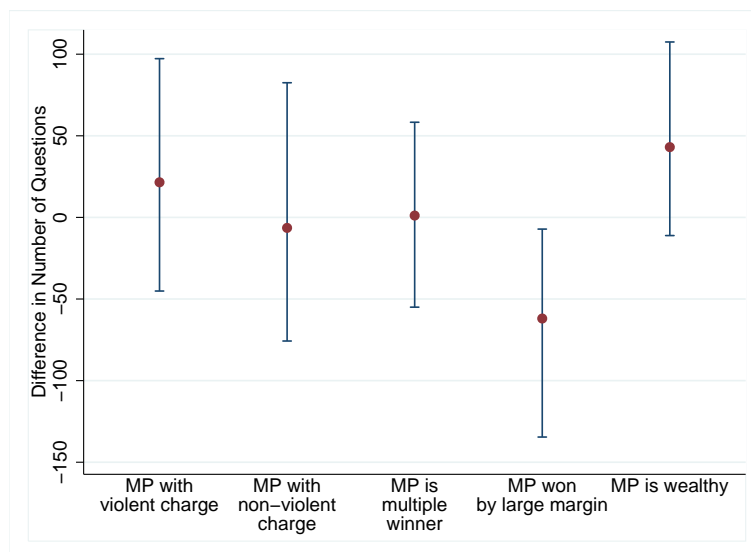
and there is suggestive evidence that MPs who won their seat safely also attend less often (MPs who were safely elected had an attendance rate that was 2.2 percent lower than MPs who barely won).

With respect to debate participation, Table 6.8 shows that none of the covariates of interest make an impact on the number of times an MP speaks during debates. Given the important role of party leaders in selecting who is allowed to speak during debates, these results may indicate that party leaders themselves do not disproportionately select one type of MP over another for debate participation.

Finally, Table 6.9 shows that MPs' criminality makes no impact on the number of questions asked by parliamentarians, but MPs who won their seats safely ask an estimated 65 fewer questions than MPs representing competitive constituencies. Interestingly enough, wealthy MPs ask *more* questions (about 45 more questions) than non-wealthy MPs: A result at odds with the basic theory of this paper.



**Figure 6.8:** Impact of selected covariates on the predicted number of debates Members of Parliament participate in.



**Figure 6.9:** Impact of selected covariates on the predicted number of questions asked by Members of Parliament.

### 6.5.3 Regression Discontinuity Design

Thus far, I have shown that MPs with criminal records, particularly those charged with committing violent crimes, attend fewer plenary sessions compared to their non-charged peers. These results do not tell us, however, whether this is because criminal MPs themselves prefer to attend fewer sessions or because the types of constituencies they represent consist of voters who either prefer that their elected representatives spend less time in parliament or that they are indifferent / ignorant of what their elected representative does with her time. In other words, because criminal MPs are not randomly assigned to the constituencies they represent, it is difficult to establish why criminal MPs attend office less often. Is it because these representatives do not want attend? Or is it because their constituents do not seem to mind that they do not attend?

In this section, I use a regression discontinuity design (RDD) approach to adjudicate between these two possibilities (Lee, 2008). Following Chemin (2012), I compare the attendance rates of criminal MPs who barely defeated a non-charged challenger with the attendance rates of non-charged MPs who barely defeated a criminal challenger. By restricting my analyses to these elected representatives, I can hold the political and demographic characteristics of constituencies constant thus allowing me to estimate the degree to which MPs' criminality impacts their parliamentary attendance rates.

#### **Empirical Strategy and Data**

The relationship between MPs' attendance rate and their criminal status might be endogenous with the characteristics of the voters who reside in the type of constituencies that criminal MPs are more likely to represent. To control for this possibility, I use a sharp regression discontinuity design and construct

comparable treatment and control groups. In principle, these groups are similar to one another and differ only with respect to the presence of the treatment — in this case whether or not a constituency is represented by an MP who has been charged with committing a violent crime.

The assignment of a constituency to the treatment group is a function of a continuous variable (*Crime-Score*). In two party settings, where one of the candidates has a criminal record and the other does not, this variable measures the margin of victory or defeat of a candidate with a criminal record. In multi-party settings, this variable is calculated by identifying the criminal and non-criminal candidates with the highest vote-shares within their group and taking the difference between these two values. For the sake of simplicity, I examine the vote-shares and criminal statuses of the top two candidates running for office only, and I exclude cases where both of the top two candidates are criminal or non-criminal.

Note that the assignment to the treatment group is discontinuous with respect to this assignment variable. If a constituency has a *Crime-Score* value of greater than zero, then the probability that its elected representative has a criminal record is one; if a constituency has a *Crime-Score* value of less than zero, then the probability its elected representative has a criminal record is zero. This discontinuity makes it possible to use the RDD framework. The treatment effect is thus calculated by estimating the difference between the attendance rates of MPs in the treatment and control groups near the cutoff point.

The crucial assumption underlying this identification strategy is that for constituencies near the cutoff point — where the margin of victory of a criminal candidate is near zero — whether a criminal candidate wins is determined by chance. If this assumption holds, then constituencies that are on either side of the cutoff point will be nearly identical on all fronts save one: The criminal status of

their elected representative.

I begin this estimation procedure by restricting analysis to constituencies where either a criminal candidate defeated a non-criminal runner-up or where a non-criminal candidate defeated a criminal runner-up. As a result, constituencies where the top two candidates either both had criminal records or both were clean are dropped. Of the 1,086 elections that took place in 2004 and 2009, only 223 fit this criterion.

For the remaining constituencies, I create the variable *Crime-Score*, which is the margin of victory of a criminal candidate in a constituency. For constituencies where a criminal won office, this value is equal to the margin of victory of the winning candidate. In cases where a non-criminal won office, this value is equal to the negative of the margin of victory of the winning candidate. Positive values indicate that the MP in question has a criminal record, while negative values indicate the opposite. Finally, I remove elected representatives who either did not serve their entire term, or served as Ministers in the executive branch. After removing these observations only 176 observations remain.

The next step is to examine if constituencies within the treatment and control groups are similar on observable covariates. Table 6.6 presents the analysis of a difference of means test for selected variables — including the dependent variable of interest, the attendance rate of a constituency's representative. According to this table, there are no statistically significant differences across the two groups. Table 6.7 repeats this analysis and restricts observations within various bandwidths of the cutoff. In this table, each cell represents the difference in values across the treatment and control groups.

There are two notable results represented in this table. First, MPs with criminal records attend office less often than non-criminal MPs, when we are



examining observations within 5 percent of the cutoff point (this will be discussed at length in the next section.). Second, criminal MPs represent a disproportionate share of constituencies that are reserved for members of a scheduled caste or tribe. For now this imbalance is ignored, but future versions of this chapter will address this issue directly. Aside from these imbalances, the treatment and control groups are observationally similar with respect to the remaining covariates.

## Results

I now turn my attention to presenting the results of the regression discontinuity design analysis. Figure 6.10 is a binned scatter-plot where the x-axis — the margin of victory of the criminal candidate (*Crime-score*) — is divided into discrete bins with a width of two percentage points. Each dot on the chart represents the average attendance rate of MPs within that bin. For illustrative purposes, a second degree polynomial line is also displayed on the graph representing the relationship between the margin of victory of criminal candidates and their attendance rates. Observations to the left of zero on the x-axis represent constituencies that are represented by MPs without a criminal charge, while observations to the right of zero on the x-axis correspond to MPs who have a criminal record.

If there is no gap on the y-axis at the discontinuity, then criminal and non-criminal MPs have the same attendance rate — there is no treatment effect. If there is a gap, then the size of the gap reflects the degree to which the criminal status of a constituency's MP impacts its attendance rate. As show here, there appears to be a gap at the discontinuity: MPs with criminal records attend office less often than their non-charged peers.

I estimate the magnitude of the treatment effect in two ways. The first method uses a difference of means test for parliamentary attendance across the

**Table 6.6:** Difference of means of selected variables between Members of Parliament with a criminal record and MPs without a charge for MPs elected in the 2004 or 2009 elections.

	Criminal MP	Non Criminal MP	Diff	SE
Attendance Rate	0.69	0.74	-0.05	0.03
Pct. Population Literate in Constituency	0.52	0.51	0.01	0.02
Pct. Population Urban in Constituency	0.24	0.25	-0.01	0.03
Pct. Population SC/ST in Constituency	0.24	0.24	-0.00	0.02
Reserved for SC/ST	0.30	0.24	0.06	0.07
Log Value of Financial Assets	15.79	16.12	-0.32	0.26
Multiple Time Winner	0.28	0.32	-0.04	0.07

**Table 6.7:** Difference of means of selected attributes of Members of Parliament conditional on the criminal status of MPs elected in the 2004 or 2009 elections.

	Margin <1%	Margin <5%	Margin <10%
Attendance Rate	-0.13 (0.10)	-0.13** (0.05)	-0.06 (0.03)
Pct. Population Literate in Constituency	-0.05 (0.08)	0.03 (0.03)	0.02 (0.02)
Pct. Population Urban in Constituency	-0.06 (0.09)	-0.01 (0.04)	-0.00 (0.03)
Pct. Population SC/ST in Constituency	0.10 (0.09)	0.06 (0.04)	0.02 (0.02)
Reserved for SC/ST	0.33 (0.26)	0.31* (0.13)	0.18* (0.09)
Log Value of Financial Assets	-1.41 (0.98)	-0.45 (0.48)	-0.15 (0.32)
Multiple Time Winner	-0.08 (0.26)	0.09 (0.13)	-0.04 (0.09)
Observations	14	55	110

treatment and control groups for observations within various bandwidths of the cut-point: 1 percent, 5 percent, and 10 percent. The second approach involves using a local linear regression.<sup>8</sup> Again, this analysis is conducted for observations within the aforementioned bandwidths.

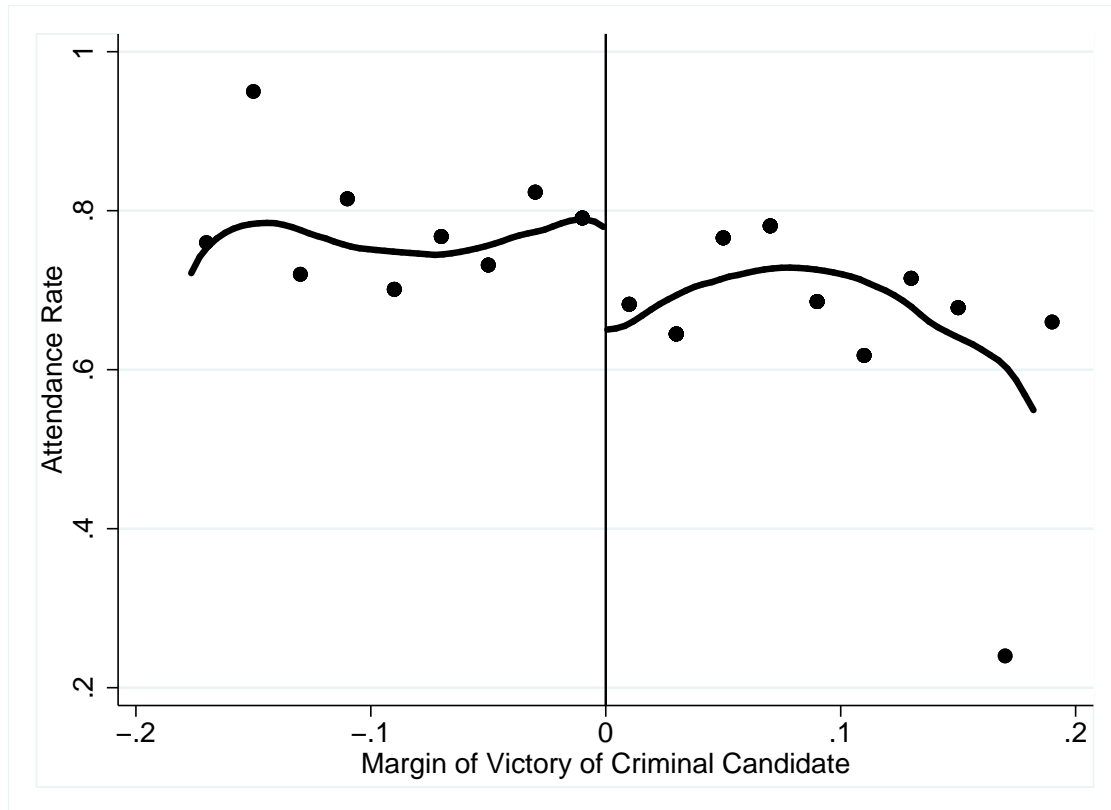
As seen in Table 6.7, the treatment effect varies with the size of the bandwidth in question. In the 1 percent bandwidth the point estimate is -0.13, but the lack of statistical significance may be related to the fact that there are only 14 observations. In the 5 percent bandwidth, the estimated treatment effect is -0.13 and is statistically significant at the 99 percent level. Finally, in the 10 percent bandwidth, the magnitude of the point estimate drops to -0.06 and is statistically significant only at the 90 percent level. These results suggest that MPs with criminal records attend parliament less often than their non-criminal peers, though the magnitude and statistical significance of this effect varies across the different bandwidths.

Table 6.8 presents the results of the local linear regression analysis mentioned above. As is the case in the prior analysis, the estimated treatment effect varies by the bandwidth being used. There is no statistically significant impact of criminality on attendance in the 1 percent bandwidth and 5 percent bandwidth. However, there is a statistically significant impact of -0.14 in the 10 percent bandwidth which is similar in magnitude to the -0.10 estimate found in the 5 percent bandwidth. The increase in statistical significance may be due to the fact that there are more observations in the 10 percent bandwidth than in the smaller ones.

These results suggest that MPs charged with committing violent crimes attend parliament less often than their peers. Depending on the estimation method

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<sup>8</sup>I use an ordinary least squares model where the dependent variable is the attendance rate of an MP and the independent variables include whether an MP has a criminal record, the margin of victory of the criminal candidate in a constituency, and the interaction between the two.



**Figure 6.10:** Regression discontinuity analysis of the impact of a Member of Parliament's criminal status on attendance rate in Parliament, MPs elected in 2004 or 2009.

being used, they attend 14 percent fewer plenary sessions than MPs without criminal charges. Furthermore, their lack of parliamentary attendance is due to their personal preferences against attending and is not due to the preferences of their constituents at home. To the contrary, these results suggest that if MPs with a violent criminal record were replaced with MPs without these charges, parliamentary attendance would improve correspondingly.

## 6.6 Discussion

This chapter argues that Members of Parliament with criminal records might exert less effort while in office than their non-criminal peers. There are two related

**Table 6.8:** Local linear regression analysis of the attendance rate of Members of Parliament elected in 2004 or 2009, conditional on their criminal status. DV = Attendance rate.

	Margin <1%	Margin <5%	Margin <10%
Criminal Record	0.147 (0.204)	-0.101 (0.0934)	-0.139* (0.0637)
Margin of victory of criminal candidate	-24.33 (23.17)	-0.370 (3.050)	0.750 (0.854)
CriminalRecordXMargin	-2.290 (32.57)	-0.537 (3.704)	0.155 (1.114)
$R^2$	0.285	0.125	0.049
Observations	14	55	109

Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

reasons as to why this may be the case. First, MPs with criminal records may be a different “type” of MP — more focused on the accumulation of rents than public service (similar to business-men politicians in other contexts (Della Porta and Vannucci, 1999; Gehlbach, Sonin and Zhuravskaya, 2010)). Second, criminal MPs may have the resources to contest elections with minimal support from their party. This electoral independence allows MPs to pursue their own agenda, even if it entails shirking from their duties in parliament.

MPs with criminal records (violent or non-violent) and wealthy MPs attend parliament less often, wealthier MPs participate in fewer debates, and MPs who safely won their seats ask fewer questions during question hour. Interestingly, there is a positive relationship between MPs’ wealth and their level of participation in question hour, a result at odds with the other results presented thus far. These results, especially the fact that wealthier MPs attend fewer plenary sessions, suggest that MPs with the resources to buck party pressure are less likely to exert effort while in office. This is not to say that criminal MPs are not interested in seeking rents necessarily, but that the motivation to shirk is shared by criminal and non-criminal MPs alike — but only MPs with the means to shirk actually do.

These results suggest a troubling relationship between electoral competition and the quality of representation for Indian citizens. In Chapter 4, I find that parties respond to high levels of electoral competition by nominating criminal candidates; in Chapter 5, I find that parties tend to nominate their wealthiest candidates into safe seats. In combination, a lack of electoral competition results in the election of wealthy candidates, while increased competition results in the election of criminal candidates — both of whom have lower parliamentary attendance rates than their peers.

On the other hand, the fact that MPs with violent criminal records are no

different than their peers with regards to participation in debates and question hour indicates that criminal MPs might not be that different than their non-criminal peers. This is especially true when we examine debate participation. Recall that the degree to which MPs participate in debates is partially a function of their party affiliation and the discretion of their parties' leaders. Thus participation in debates is not only a reflection of the level of effort an MP exerts, but also of the preferences of party leadership.

If it were the case that MPs with violent criminal charges are markedly different from non-criminal MPs with regards to their desire to seek rents, then party leaders would be less likely to use them in debates. The fact that we observe no difference in debate participation suggests that in the eyes of party leadership, the motives and capabilities of party members who have been charged with committing a crime (even a violent one) is similar to the motives and capabilities of party members without criminal charges. In the end, it might be the case that criminal and non-criminal MPs have more in common than not.

Finally, what do these results imply for the larger issue, the quality of governance? One possibility is that the effort and motivation of MPs within the halls of Parliament make little difference to the quality of governance at large. As is the case in many parliamentary democracies, the larger issues of governance are often driven by the actions and preferences of party leaders themselves: Party leaders in the ruling coalition are responsible for policy formulation and its execution via government ministries (Agrawal, 2005). Thus, increasing the quality of MPs might make a negligible impact on the quality of the Lok Sabha, because the real power to affect outcomes lies in the hands of party leadership.

Outside of the parliament, however, MPs impact the quality of governance in two important ways. First, elected representatives in India spend considerable



effort in the provision of constituency service. Often times, they accomplish this by helping constituents navigate the state bureaucracy and connect them to public goods and services (Bussell, 2012). In this way, civic-minded MPs can increase the quality of governance by increasing the efficacy and equity of their local bureaucracy, a motivation not shared by all politicians (ibid). More research on the link between the quality of MPs, the quality of the local bureaucracy, and the quality of governance at large is needed in order to fully assess this mechanism.

Second, MPs (and other party members) have the collective de-jure power to hold party leaders accountable for their actions. While party leaders possess the power to affect governance outcomes directly, the incentive to improve the quality of governance is tied to their belief on whether or not they will be removed from power by the party rank and file for failing to do so. This mechanism is effective when parties themselves are institutionalized and have internal democracy: Two features that parties in India sorely lack (Hasan, 2010). Parties in India tend to have little internal democracy, and their operations revolve around charismatic leaders leading to a situation where the accountability relationship is reversed: Party leaders can hold individual party members accountable for towing the party line (e.g. the anti-defection law), but they themselves have little to fear from ordinary party members. This allows party leaders to engage in risky rent seeking behavior at the expense of the party and public at large. Reforms aimed at increasing the ability of party members to hold party leaders accountable (by further institutionalizing parties) may increase the quality of democracy in India.

## 6.7 Conclusion

This chapter finds that MPs in India charged with committing a crime attend parliament less often but are otherwise similar to their peers with regards to other forms of parliamentary participation. There is also evidence that wealthy MPs and MPs that won their seats safely also attend parliament less often and exert less effort. The notable exceptions are wealthy MPs who ask more questions during question hour. These results suggest that politicians with the means to contest elections without relying on party support are less likely to exert effort when they are in office. This is a potentially troubling finding for India — and any other developing democracy — where parties that lack the resources to contest elections turn to candidates who can help parties win, but at the cost of not fulfilling their parliamentary duties.

## 6.8 Acknowledgements

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# Chapter 7

## Conclusion

This dissertation seeks to answer an important and compelling question regarding politics in India: Why do parties nominate criminal candidates during elections? This narrow question lies at the intersection of two larger questions related to elections and the quality of democracy in developing countries: First, what is the relationship between the level of electoral competition parties face and the types of candidates they nominate? Second, why do parties nominate candidates who have traits that can damage parties' reputation among voters? The presence, and success, of candidates with criminal records in Indian elections suggests that electoral competition is not deterring parties from nominating candidates with normatively bad reputations; a closer examination of parties' decision to nominate criminal candidates may reveal the trade-offs parties are willing to make in their pursuit of winning elections.

In Chapter 2, after a brief introductory chapter, I present a theory of candidate nomination that can help us understand parties' strategic considerations when nominating candidates. I begin by assuming that parties have two goals: Parties care about maximizing the number of seats they win in the current election,

and they also care about improving their organizational capacity, which can help them win future elections. Parties seek candidates who can help them achieve both of these goals, though candidates vary with respect to their ability to help parties achieve them. Some candidates are better suited to help parties win seats in the current election, while others are better suited to help parties build their organizational capacity. For the sake of simplicity, I assume there are two types of candidates: Vote-generating candidates have a comparative advantage in helping parties increase their vote-share in the electoral constituencies they are nominated into; party-capacity building candidates have a comparative advantage in helping parties increase their organizational capacity and reputations.

I argue that these candidates' value to parties is conditional on the electoral competitiveness of electoral constituencies. The marginal value of vote-generating candidates for parties is at its highest in competitive electoral constituencies — constituencies where a small increase in vote-share can change their elections' outcomes. Parties realize a much smaller benefit from nominating vote-generating candidates into constituencies they expect to win (or lose) by a wide margin; here a small increase in their vote-share does not greatly change the probability parties win those seats. In sum, the utility of vote-generating candidates for parties is tied to the ability of these candidates to win the constituencies they are nominated into. As a result, I hypothesize that parties are more likely to nominate vote-generating candidates into competitive electoral constituencies.

Unlike vote-generating candidates, party-capacity building candidates' value for parties is not tied to their ability to win seats. Instead, these candidates can help parties after an election by engaging in activities that can help parties improve their organizational capacity and reputations. Some of these candidates can help parties only when they are in office, while others can help parties regardless of whether

they win or lose their seats. I contend that parties do not expect party-capacity building candidates to increase their vote-share; as a result, parties are more likely to nominate them into hopelessly lost or safe electoral constituencies. In particular, I hypothesize that parties are more likely to nominate conditional party-capacity building candidates — those who can help parties only when they win their seats — into safer electoral constituencies.

With these hypotheses in place, we can see that there are two reasons why parties are willing to nominate candidates who have criminal records. One possibility is that parties nominate candidates with criminal records into competitive electoral constituencies because they are vote-generating candidates. Parties would be willing to nominate these candidates even if doing so slightly damages parties' reputations. Another possibility is that parties nominate candidates with criminal records into safe electoral constituencies because they are party-capacity building candidates. Parties would be willing to nominate them even if doing so slightly damages parties' chances of winning the constituencies they are nominated into.

In Chapter 3, I begin to apply this theory to India in order to understand whether candidates with criminal records are primarily vote-generating or party-capacity building candidates. I argue that in India, parties' demand for vote-generating candidates has been rising over time as elections have become more competitive, featuring multiple parties and non-programmatic modes of competition. Criminal candidates can help parties increase their vote-share because of their ability to directly generate vote-share during an election and their ability to cultivate a personal vote in between elections. Criminals accomplish the former because they are wealthier than non-criminal candidates, on average; and because they may have an advantage in engaging in illicit campaign strategies. Criminals accomplish the latter because.. Given criminals' competency at generating vote-share, I expect

parties to nominate candidates with criminal records into competitive electoral constituencies.

In Chapter 4, I empirically test whether parties are more likely to nominate candidates with violent criminal charges into competitive electoral constituencies. I analyze state level electoral data, combined with information found on candidates' disclosure affidavits, from 22 state level elections between 2003 and 2007. I find that parties that failed to win their electoral constituencies in the prior election are the most likely to nominate candidates with violent criminal charges. I also find that parties nominating these candidates are more likely to win compared to parties that field non-criminal candidates, even when controlling for candidates' wealth and parties' prior electoral performance. These findings support the hypothesis that criminal candidates are vote-generating candidates.

In Chapter 5, I examine whether parties nominate candidates with violent criminal records because they are wealthier than non-criminal candidates. If parties nominate criminal candidates because they are skilled at generating votes, and if wealth is a vote-generating asset, then I would expect parties to nominate their wealthiest candidates into their most competitive seats. Analyzing the same data as I did in Chapter 4, I find that parties nominate their wealthiest candidates into their safest seats. I also find that parties that nominate wealthy candidates are also more likely to win their constituencies, but that parties would have to nominate candidates that are nearly two standard deviations wealthier than the average candidate in order to realize the same electoral advantage from nominating candidates with violent criminal records. These findings suggest that wealthy candidates are party-capacity building candidates and that the electoral success of criminal candidates is not solely rooted in financial wealth.

In Chapter 6, I turn my attention toward understanding if legislators with

criminal records attend office less often than elected officials without criminal records. Legislators with criminal records differ from their non-charged peers in one important respect; they are vote-generating politicians and have the means to contest and win elections with less support from their parties than legislators without criminal records. I hypothesize that this electoral advantage insulates Members of Parliament (MPs) with criminal records from the pressures exerted by their parties' leaders to attend to their parliamentary duties. In this chapter, I use a regression discontinuity design (RDD) to compare the attendance rates of MPs who have been charged with committing violent crimes and MPs who have not; I analyze MPs who were elected in the 2004 or 2009 national elections. I find that MPs with violent criminal charges attend office about 13 percentage points less often than their non-charged peers. These findings imply that there might be downstream consequences to nominating criminal, or vote-generating, candidates.

My dissertation makes both theoretical and empirical contributions to our understanding of why parties nominate candidates with criminal charges in India. Empirically, I find the following. First, candidates who have been charged with committing violent crimes are disproportionately nominated into competitive elections by political parties, and parties that do nominate these candidates are more likely to win. Parties looking to win a seat would only nominate a charged candidate into a competitive race if they believed that said candidate had the skills and resources to actually win. The fact that they are more likely to win is consistent with the possibility that in India, candidate competence and criminality are correlated.

Second, parties disproportionately nominate their wealthiest candidates into their safest seats. A commonly cited reason as to why candidates with criminal records are sought after by parties is that they are wealthier than their non-charged

rivals (Dutta and Gupta, 2012; Vaishnav, 2011*b*). However, if wealth were the most important resource required to win elections, then rational seat maximizing parties would nominate their wealthiest candidates into their most competitive constituencies. The fact that parties fail to do so indicates that a competent electoral candidate must have more than just wealth to win elections: He or she must also have the skills and talent to mobilize voters and/or cultivate a personal political following. Thus, the advantage candidates with criminal charges have with regards to winning elections is not solely due to their advantages in wealth, or “money-power”; they must also have other skills at their disposal.

Third, Members of Parliament with violent criminal charges are less likely to attend Parliamentary sessions than their non-charged peers. This finding suggests that parties face downstream consequences from nominating candidates with violent criminal charges pending against them. Once elected, these politicians may choose to devote less of their time toward policy making and governing. The core issues is that allegedly criminal MPs can afford to attend office less often because they are less reliant on party resources to win elections. As a result, they can buck the pressures from their parties’ leadership to attend office and instead use their time as they see fit.

On the theoretical front, this dissertation places the role, incentives, and constraints of parties and their leaders into central focus when examining why they nominate candidates with criminal records. In that vein, it joins Aidt, Golden and Tiwari (2011) and Vaishnav (2011*b*) and expands on their contributions.

Aidt, Golden and Tiwari (2011) argue that parties benefit from nominating candidates with criminal records because of their ability to suppress turnout during elections. They stipulate that parties also incur a cost from nominating these candidates and as a result, parties would economize on the use of candidates with



criminal records and nominate them in close elections. These authors find empirical evidence that parties are more likely to nominate candidates with criminal records when they were closer to winning or losing their prior constituency level election — when elections are close. Their key insight, that a party's relative value for nominating charged candidates is at its greatest in competitive elections, motivates one of the central hypotheses of this dissertation: Parties nominate vote-generating candidates into competitive seats.

I expand on their work in four ways. First, I generalize parties' candidate nomination logic to include the nomination of party-capacity building candidates. This theoretical extension allows me to examine why (or why not) parties nominate wealthy candidates in lieu of criminal candidates. Wealthy candidates also have access to the resources that can help parties win elections, though they might not carry the same stigma among voters that criminal candidates do. Second, I expand on the concept of the cost parties incur from nominating criminal candidates to include the opportunity cost of *not* nominating party-capacity building candidates. Thus, even if we were to stipulate that voters do not punish parties for nominating tainted candidates at all, parties still have an incentive to refrain from their use because the failure to nominate party-building candidates can damage their organizational effectiveness. Third, empirically I examine 22 state level elections in India while Aidt, Golden and Tiwari (2011) focus on two national level elections, thus giving my study greater statistical power. Fourth, my findings apply to candidates who have been charged with committing violent crimes whereas Aidt, Golden and Tiwari (2011) focus on candidates charged with committing any crime. The fact that candidates charged with committing violent crimes are more likely to be nominated into competitive constituencies, and that they are more likely to win, implies that there is a positive correlation in India between political skill and the

capacity to engage in violence, thus corroborating the importance of “muscle-power” in Indian elections.

Vaishnav (2011*b*) argues that parties seek candidates with criminal charges because they are wealthier than non-charged candidates. Contesting elections is an expensive endeavor and presumably, the ability to spend more in elections should translate into a greater probability of winning. If we were to extend this logic, then we would expect parties to nominate their wealthiest candidates into their most competitive seats, where the marginal utility of additional campaign spending would be at its greatest.

While I corroborate his main empirical finding that candidates with criminal charges are wealthier than non-charged candidates, I also find that parties nominate their wealthiest candidates into their safest constituencies. Given the importance of wealth and financial resources in elections, why do not parties nominate these candidates into competitive elections? The theoretical distinction I make in my dissertation between vote generating candidates and party capacity building candidates might shed light onto this question. The utility parties realize from nominating wealthy candidates might extend beyond winning the constituencies they are nominated into — these candidates might also have the assets, skills, and resources to help parties build their organizational capacity and achieve other objectives. Also, wealth alone might not guarantee electoral success; other skills might be needed to successfully contest elections. The fact that candidates with violent criminal charges are more likely to win elections even when we control for their level of wealth, implies that this might be the case; successfully contesting elections requires more than just money, it might also requires the ability to mobilize voters, engage in clientelistic strategies, or engage in illicit campaigning techniques.

This dissertation represents just one step in understanding how electoral

competition influences parties' decision on whom to nominate as electoral candidates, and whether this decision has any governance consequences after elections. Though I focus on India, a complicated and important case in its own right, the lessons drawn from this dissertation are applicable to democracies in developing countries at large. Broadly speaking, these findings imply that candidates who are associated with illicit or illegal activities can still be attractive electoral candidates even if voters dislike voting for them, all else being equal. These candidates can overcome whatever stigma they might have among voters and win elections because they are more competent at generating vote-share for their parties. Furthermore, by focusing on nominating candidates who can win seats, parties risk nominating candidates who can impair parties' ability to govern well once they are in power.

One important implication of this dissertation is that reforms aimed at increasing the level of information voters have about their electoral candidates and increasing the level of competition parties face in electoral constituencies will have a limited effect at reducing the presence of tainted candidates. These candidates are able to win their elections, in part, because they are somehow more competent than non-tainted candidates. Increasing voters' awareness of their candidates' personal histories does not erode this advantage, and increasing the level of competition parties face could have the perverse effect of increasing parties' demand, and hence use, of the very candidates reformers are seeking to remove.

Reducing the presence of tainted candidates in elections requires us to understand the nature of tainted candidates' competency advantage. If these candidates owe their electoral successes to their ability to engage in illicit campaign tactics, such as buying votes or intimidating voters, then reforms increasing oversight over parties' campaign activities during elections can reduce the attractiveness of tainted candidates. If tainted candidates owe their electoral successes to their

ability to cultivate a personal vote, then reforms that reduce the importance of the personal vote — such as increasing the quality of the state bureaucracy and programmatic credibility of parties — can also reduce the attractiveness of tainted candidates to voters and parties alike. Thus one important avenue for future research involves understanding whether candidates with criminal records in India win elections because of their actions during elections or because of their actions in-between elections.

A second avenue for future research involves understanding why voters might prefer to vote for tainted candidates. The fact that parties facing high levels of electoral competition are the most likely to nominate candidates with violent criminal records in India stands in stark contrast to Galosso et al who find the opposite in Italy. Parties in Italy are more likely to nominate “policy experts” into competitive electoral constituencies. Why do we see this difference in parties’ behavior? What can we learn from it?

The theoretical underpinning of Galosso is that in highly competitive electoral districts, the voters who can determine an election’s outcome are ideologically moderate and care about the governing ability of parties. In other words, swing voters in Italy evaluate parties on their ability to govern well, leaving other partisan and ideological considerations aside. In response to these expectations, parties nominate candidates who can bolster parties’ policy making reputation and credibility and nominate them into these competitive electoral districts. This in Italy, at least, electoral competition compels parties to nominate candidates who can garner the vote of swing voters, and because voters care about parties’ policy making ability, parties are more likely to nominate policy experts into these electoral constituencies.

I contend that a different dynamic emerges, however, in polities where voters either do not place a great deal of weight on the well-being of the polity as a whole,

or where voters do not find parties' policy making promises to be credible. Here, voters may turn to candidates who have a demonstrated ability to affect voters' well-being (or the well-being of their locality) without relying on the policy making process to deliver these benefits. These voters might also be willing to incur the psychological cost of supporting candidates who have undesirable attributes as long as they can make voters better off on some other dimension. Thus in polities where voters do not trust parties' promises to govern well, and where voters do not place a great deal of emphasis on the well-being of the polity as a whole, swing voters in competitive electoral districts might be willing to vote for candidates with normatively bad reputations so long as they are made better off on other dimensions; in response to these preferences, parties are willing to nominate these candidates into competitive electoral constituencies. Given this, future research in India will involve ascertaining whether voters who place a lesser priority on the well-being of their state or country, or voters who do not trust parties' campaign promises are more likely to vote for criminal candidates.

A second implication of this dissertation is that parties' choice of candidates might have impact their ability to govern once they are in office. What we do not know is to what degree different types of politicians discharge their duties differently, and the extent to which voters suffer a welfare loss when tainted legislators are elected into office. Are tainted politicians more likely to shirk from their duties or engage in rent seeking activities? Or are they also bound by the same electoral pressures that all politicians face, thus reducing their incentives to shirk more than non-tainted candidates? Thus another avenue for future research involves understanding whether tainted politicians discharge their duties differently than non-tainted politicians.

To summarize, this dissertation implies that in developing countries, political

parties might respond to electoral competition by nominating candidates who specialize in generating votes — even if these candidates are associated with illicit activities. Furthermore, there are potential downstream consequences to nominating these candidates, and parties risk damaging their reputations and governing ability by nominating these candidates. In short, parties that compete in developing countries face a difficult choice between nominating candidates who can help them win seats in the current election, or nominating candidates who can help them govern well in the future.

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