

# Quality is in the eye of the beholder: Electoral competition and criminal candidates in India

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## **Abstract**

Theories of democracy argue that democratic competition leads to the selection of candidates that are honest and competent. This theory is called into question in India as candidates with criminal records are more likely to win elections. Using state level election data in India between 2003 and 2007, this paper examines whether parties that face higher levels of electoral competition are more, or less, likely to nominate candidates with criminal records. Contrary to democratic expectations, parties that are on the cusp of winning or losing a seat are the most likely to nominate criminals as candidates. Thus while voters outside of a constituency and political observers may view criminals as being “bad” politicians, parties in competitive races find them to be quality candidates.

# 1 Introduction

Students of democracy argue that democratic elections, by giving voters a voice in who governs, leads to the selection of candidates that are honest and competent, and also leads to better governance (Caselli and Morelli, 2004). This conventional wisdom is called into question in India, the world's largest democracy, where the release of candidate disclosure data has revealed that candidates with criminal records (even candidates charged with committing violent crimes) are not only present in elections, but are more likely to win.<sup>1</sup>

While the release of these data has catalyzed a research agenda devoted to understanding why these candidates are good at winning elections, it has not examined the link between the level of democratic competition a party faces and its decision to nominate a candidate with a criminal record. I examine this link by analyzing state level elections in India between 2003 and 2007. I find that parties that face the highest degree of electoral competition are the most likely to nominate candidates with criminal records. In other words, democratic competition in India not only fails to discourage the selection of candidates with normatively bad reputations, but it appears to encourage it.

I argue that criminal candidates can help parties win a specific seat, but that nominating them damages a party's reputation outside of that seat. Parties that are on the cusp of winning or losing are more likely to nominate a criminal because these parties stand to gain the most from the additional votes that criminals bring with them, and are thus more willing to incur the cost to their reputation.

I proceed as follows. Section 2 presents an overview of the literature on criminals in the Indian political system. There, I argue that whatever advantages a criminal has during elections, these advantages are tied to a specific geographical area or constituency. Outside of a constituency, a criminal is a liability for a party. Section 3 theorizes that due to the distribution of the benefits and costs of criminal candidates, parties that are on the cusp of winning or losing a seat are the most likely to nominate them because the benefit of winning a seat outweighs the cost of nominating

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<sup>1</sup>In 2003 India's Supreme Court issued a ruling that requires all candidates for public office to file affidavits and disclose, among other things, whether they have ever been charged with committing a crime, the statute number(s) they are accused of violating, and the value of their financial assets and liabilities. At the national level, nearly 12 percent of candidates in 2004 and 2009 had a criminal record and about a quarter of all winning candidates do. Between 2003 and 2007 at the state level, 13 percent of candidates have been charged with committing a crime and nearly 23 percent of winning candidates have one.

a criminal. Section 4 presents an overview of the data that are used in this analysis. Section 5 presents empirical results and Section 6 concludes.

## 2 Criminals as quality candidates

Why are candidates with criminal records effective at winning elections? What do parties stand to gain by nominating them? While the literature on criminals in the Indian political system is diverse, I argue below that the literature points to two general characteristics of criminal candidates. First, candidates with criminal records have the ability to increase a party's vote share within a constituency, thus increasing the chances that a party wins the seat. Second, parties incur a cost to their reputation by nominating a criminal because voters tend to reject criminal candidates, all else being equal (Chauchard, N.d.). A weakened reputation makes it more difficult for a party to win additional seats. In other words, criminal candidates are a "net-positive" to parties within a constituency, but are a "net-negative" to them outside of it.

Many scholars argue that criminal candidates are quality electoral candidates because they have an advantage in financial resources ("money power") and because they have the capacity to use violence ("musclepower") (Verma, 2005; Berenschot, 2008; Weinstein, 2008; Vaishnav, 2011*b*). It is important to note that the underlying source of these advantages 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 whereby 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.

Criminal gangs are also important for citizens as they often approach criminals 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 to influence political outcomes; and then leverage their influential position in order to acquire more rents. In this way, the advantages that criminals have in elections are closely tied to a particular geographic location.

This account of criminality is consistent with another documented use of the criminal element in politics, the use of “vote-banks” during elections. Vote banks are clientelistic organizations that engage in vote buying and intimidation (Breeding, 2011). In order to operate efficiently, these machines must have the ability to target voters and enforce clientelistic deals, roles that criminals and local-muscle have been known to play. It is important to note that the ability to do these tasks effectively requires extensive knowledge of a locality and its social network (Cruz, N.d.). This implies that the ability to engage in these activities requires an organizational apparatus that may be difficult to transfer to other geographic locations. Thus any advantage that criminals may have with respect to their ability to mobilize clientelistic networks is confined to a particular geographic space as well.

Several other explanations make the general case that candidates with criminal records win more often because the possession of a criminal record is correlated with the ability to deliver some sort of benefit to voters. These benefits are diverse and include the following:

1. The benefit of being protected from caste or class conflict.
2. The benefit of being able to have their interactions with the state be mediated.
3. The psychological benefit of supporting a candidate that shares a caste affiliation.

I address each of these possibilities in detail below, but note their general similarity: voters are willing to internalize the psychological cost of voting for a criminal candidate in exchange for being made better off on some other dimension. While this may explain why voters who stand to benefit from a criminal candidate would support one, it does not explain whether voters who do not stand to benefit are willing to support criminal candidates. These voters, assuming that they dislike criminals, are faced with the prospect of incurring the psychological cost of supporting a criminal candidate (or a party that has nominated a criminal candidate elsewhere) in exchange for nothing. Admittedly, whether or not voters punish parties for nominating criminals in other constituencies is an open research question, but I assume that voters who do not perceive a benefit from voting for a criminal would rather vote for a candidate without a criminal record.

Moving on to the specific benefits in question, one type of benefit that voters may receive from criminal candidates is protection. In areas of the country where the rule of law is weak, and where

violent conflict over land and caste are common, voters turn to criminals in order to protect local interests like land, physical security, and dignity (Kohli, 2009; Vaishnav, 2011*a*). Here, the ability to provide a local good, in this case security, is highly correlated with a candidate's criminal status, making them effective electoral candidates.

However, in order for this account to hold politically, a voter must have knowledge about the capacity of a candidate to actually protect group interests. If voters are willing to vote for a criminal candidate 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 protection is similarly constrained, the ability of criminal candidates to garner votes based on their reputation for protection is constrained as well. Thus from the point of view of a party, nominating these types of candidates will yield positive benefits within a constituency or geographic area, but it will harm a party's reputation outside of it.

Another type of benefit that voters realize by supporting a criminal in an election is that of having their interactions with the state being mediated by an effective agent. Middlemen, as they are called, are used by voters 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 the transaction costs of citizens when they deal with the state, namely due to their ability to engage in corrupt acts like bribery.

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. 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 a criminal candidate because good mediators may be more likely to have a criminal record.

It is important to note that the opposite is not true: 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 candidates 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.

Finally, voters may benefit psychologically from voting for a candidate with a criminal record, as long as the candidate belongs to the same caste. Banerjee and Pande (2007) argue that when elections are “ethnified”, voters are willing to trade-off the psychological costs of supporting a criminal for the psychological benefits of supporting a co-ethnic. Two recent field experiments (Banerjee et al., N.d.; Chauchard, N.d.) test this theory in India and find that in general, voters are *less* likely to express support for candidates with a criminal record, even if said candidate is a member of the same caste group.

Chauchard finds that despite the fact that voters dislike criminal candidates, they value the receipt of targeted goods more. Furthermore, voters believe that they will be more likely to receive targeted goods from a criminal candidate that shares a caste affiliation compared to a non criminal candidate that is a member of a rival caste group. Thus voters may be willing to vote for a criminal candidate not because they support criminality (they actually reject it), but because they value caste and the potential receipt of goods more.

It is important to note that support for a criminal candidate is conditional not only on caste per se, but on the ability of a candidate to credibly deliver targeted benefits. If a criminal candidate cannot establish his or her credibility with voters, then voters will not vote for him or her. To the extent that the ability to deliver particularistic benefits to voters is constrained by the resources to do so, the benefit to a party for nominating a criminal candidate is constrained to a particular geographical area. Outside of a given geographical area, voters will not be inclined to support a criminal candidate.

### **3 Why parties nominate criminals**

To recap, I assume that criminal candidates have the following properties for parties. First, they can be a “net positive” for parties within a constituency: they can increase a party’s vote share and its chances of winning a seat, all else being equal. The degree to which a criminal is beneficial to a party is a function of the degree to which the political economy of a constituency is hospitable to the types of techniques that criminals employ. Thus, constituencies vary with respect to how beneficial a criminal can be for a party.

Second, nominating a criminal candidate may damage a party's reputation outside of a constituency. A weakened reputation makes it more difficult for a party to win additional seats and this, in turn, constraints its demand for criminals. The degree to which nominating a criminal is harmful to a party's label is a function of the importance voters place on a party's label when voting; the degree to which voters care, or are aware, of a party's nominating behavior; and the degree to which a party itself cares about its label. Thus within a state, parties differ with respect to how costly nominating a criminal can be.

With these assumptions in place, I turn my attention to describing how parties decide whether or not they will nominate a criminal candidate. Because the inner workings of parties in India are mysterious, I make the following stylized assumptions about the candidate nomination process.

First, prior to an election, parties ascertain how competitive they will be in a constituency. This essentially amounts to estimating their vote share in the upcoming election. Second, parties estimate the benefit of nominating a criminal candidate (i.e. how much it can increase their vote share), and balance it against the reputational cost of doing so. Third, parties nominate a criminal candidate if the expected benefits outweigh the costs.

### **3.1 Assessing the benefits and costs**

With respect to the benefits of nominating a criminal, there are two features of the First Past the Post (FPTP) electoral rule used in India worth mentioning. First, there is an "S" shaped relationship between the level of electoral support a party expects to receive in an election and the probability that it actually wins the seat (Figure 1). This is a mechanical property due to the winner take all relationship between seats and votes. Because of this feature, the marginal utility of additional votes for a party is conditional on its expected vote share. For parties with little chance of winning a seat (uncompetitive parties), and for parties with an excellent chance at winning (relatively dominant parties), the impact of additional votes on their probability of winning is relatively small. For competitive parties, those on the cusp of winning or losing a seat, additional votes may spell the difference between victory and defeat. In other words, competitive parties have higher marginal utilities for votes than uncompetitive or relatively dominant parties.

A second 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 a party win additional seats. Thus, the

marginal utility a party derives from winning a few more votes is mainly confined to the impact those votes make on the probability it wins a specific seat. Beyond the seat in question, the party benefits very little. Because criminal candidates are good at helping parties increase their vote share within a constituency, their utility to parties is mainly restricted to the degree to which their additional votes helps a party win that constituency.

The principal cost a party faces for nominating a criminal candidate is to its reputation. A weakened reputation inhibits a party's ability to win additional seats and thus the cost is external to the seat a criminal is contesting. As mentioned previously, parties differ within a state with respect to how sensitive they are to the cost of nominating a criminal candidate. The determinants of just how costly a criminal is to party is beyond the scope of this paper, but the important point to note is that the reputational cost to a party is independent of its competitive position within a constituency.

### 3.2 Putting it all together

Figure 2 is a stylized graph that represents the marginal benefit and cost a party realizes by nominating a criminal candidate with respect to its expected vote share in a constituency election. The inverted - U shape of the marginal benefit curve reflects the fact that parties for whom additional votes could swing an election in its favor stand to gain the most from nominating a criminal candidate. The actual height of the marginal benefit curve is a function of a party's value for winning a particular seat. The marginal cost curve is horizontal because it is independent of a party's competitive position within a constituency. Its vertical position is a function of party specific characteristics.

Parties will nominate a candidate with a criminal record if the marginal benefit of doing so outweighs the cost. For uncompetitive parties, those who do not expect to do well in the upcoming election, the marginal benefit to nominating a criminal is relatively low and these parties will not nominate a criminal because the cost to their reputation is too great. As parties become more and more competitive, however, the marginal benefit of nominating a criminal candidate increases and these parties are more likely to nominate criminals. Finally, for relatively dominant parties, the marginal benefit for nominating a criminal candidate falls because the probability that the addition of a few votes may swing the election is relatively small. These parties are thus less likely



to nominate a criminal candidate.

Thus I make the following hypotheses:

1. There is an inverted - U relationship between how electorally competitive a party is and its likelihood of nominating a candidates with a criminal record.
2. Parties that are on the cusp of winning or losing an election are the most likely to nominate a candidate with a criminal record.

The null hypothesis is:

*H0: There is no relationship between the vote share a party expects to garner in an election and the probability it nominates a candidate with a criminal record.*

## 4 Data

In order to examine the relationship between electoral competitiveness and the probability that a party nominates a candidate with a criminal record, I analyze data from a variety of sources. For the dependent variable, whether a candidate has a criminal record or not, I use data from the self reported affidavits that all candidates for public office in India are required to submit. Using these data, I identify candidates that have been charged with committing a crime. Copies of the original candidate affidavits are posted online at the Election Commission of India's website.<sup>2</sup> These data are digitized and posted online by the NGO, the Liberty Institute of India,<sup>3</sup> and were made available in a dataset by Milan Vaishnav of the Carnegie Endowment for International Peace.<sup>4</sup>

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 proxy for elections that take place after

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<sup>2</sup><http://eci.nic.in/>

<sup>3</sup><http://www.empoweringindia.org/new/home.aspx>

<sup>4</sup><http://carnegieendowment.org/experts/?fa=714>

2007. These data cover 22 elections across 22 states in India, approximately 3,300 constituencies, for a total of roughly 18,000 party-constituency observations. Note, that because not all parties re-contest a constituency, the number of observation in the analysis drops from 17,800 to roughly 9,000.

Finally, data from the 2001 Indian census are used to create demographic controls.

## 4.1 Dependent Variables

I create measures for two types of criminal candidates. The variable *Criminal* indicates whether a candidate has ever been charged with committing any crime, while the variable *Violent* indicates whether a candidate has been charged with committing a violent crime.

*Criminal* is a dichotomous variable that takes the value of one if a candidate reports that he or she has ever been charged with committing a crime and is zero otherwise. Between 2003 and 2007, approximately 13 percent of all candidates reported having a criminal record; roughly 23 percent of winning candidates have a criminal charge. Of the observations that are included in the analysis (parties that re-contested a constituency), 17 percent of candidates have criminal records and 23 percent of winners do.

*Violent* is a dichotomous variable that takes 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 were charged with violating. Using these statute numbers, the Vaishnav dataset classified 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.

I include this variable because these charges are not the same as politically motivated crimes like bribery, defamation, or unlawful assembly. To the contrary, of all the possible crimes that a candidate could be charged with, the seriousness of these criminal charges make it likely that these charges carry with them a negative valence among voters. Thus in principle, not only would voters be less willing to vote for these candidates within a constituency, but voters outside of the constituency may be less inclined to support a party that nominates a candidate charged with murder (for example) than support a party that fields no such candidate. Thus parties who nominate

these candidates risk damaging their reputation more than had they nominated candidates that were charged with lesser offenses.

Despite the seriousness of these charges, candidates who have been charged with committing a violent crime 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 the analysis, 9 percent have been charged with committing a violent crime and 13 percent of winners have as well.

Table 1 here.

## 4.2 Independent Variables

The main independent variable of interest is how competitive a party expects to be in an upcoming election. I proxy for this by creating the variable *Prior margin of victory* which measures the percentage point difference a party was from winning or losing a seat in the prior election. For losing parties, this value is calculated by taking their vote share and subtracting the vote share of the winning candidate from it. For parties that won the prior election, this value is calculated by taking their vote share and subtracting the vote share of the second place candidate from it. Parties that lost the prior election by a large margin are considered uncompetitive, parties that won their seat by a large margin are considered relatively dominant parties, and parties that are near zero are considered competitive parties because they are on the cusp of winning or losing a seat. In order to capture the fact that the hypothesized relationship between competitiveness and criminality is non-linear, I include the square of *Prior margin of victory* as a regressor.

A negative coefficient on the square term supports the hypothesis that there is an inverted U shaped relationship between competitiveness and criminality. If competitive parties are the most likely to nominate criminal candidates, as theorized, then the coefficient of *Prior margin of victory* will be zero.

## 4.3 Control Variables

In addition to the variables mentioned above, I also include several statistical controls in the analysis. Recall that the underlying premise of this paper is that parties make their decision on what type of candidate to nominate based off how close they are to winning or losing an election. Other factors, however, may also influence their nominating decision such as the political and demographic context

of a state or constituency.

A brief measurement note is in order with regards to the census data that are used to construct demographic control variables. The unit of analysis for census data within a state is the administrative district - analogous to counties in the United States. Each administrative district is subdivided into electoral constituencies for state level elections: one constituency belongs to only one administrative district, and one administrative district may contain one or more electoral constituencies. Thus the control variables used to measure the demographic characteristics of a constituency actually measure the demographic characteristics of the administrative district in which a constituency resides.

#### **4.3.1 Demographic Variables**

I control for three demographic variables at both the constituency and state level: population, the percent of the population that is literate, the percent of the population that resides in urban areas, and the percent of the population that is a member of a scheduled caste or tribe. All of these variables are taken from the 2001 Indian census.

Literacy rate (district and state). The literacy rate of a district or state is a proxy for a population's level of human capital or development. It is a function of both how wealthy citizens are and the quality of state services (mainly education). Thus areas with a lower literacy rate may be areas where large portions of society are poor and/or where the government is doing an inadequate job of providing education. This latter point may be a symptom of a weak state more generally, or at the very least, a state that is unresponsive to the needs of large share of its population. In either case, these areas may have voters that are more willing to support candidates that are skilled at mobilizing vote-banks, or are have voters that are vulnerable to illicit campaign techniques like voter intimidation. Thus I predict that parties will be more likely to nominate a criminal candidate in districts and states with lower literacy rates.

Percent urban (district and state). Urban areas differ from rural areas in three important respects. First, voters in urban areas are wealthier on average than rural voters and second, voters have access to higher quality institutions.<sup>5</sup> In combination, these factors suggest that voters in

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<sup>5</sup>In India there is a positive correlation between the literacy rate of a district and the percent of its population that is urban.

urban areas are less likely to engage in clientelistic practices and less likely to be vulnerable to intimidation tactics because of their greater wealth and access to quality institutions.

A third difference is that urban areas have a higher population density than rural areas. Thus from the point of view of parties, urban voters are easier to reach using traditional campaign techniques and thus they (parties) would have a lower demand for criminal candidates. Taken together, I expect that parties are less likely to nominate criminal candidates in districts and states with a high proportion of voters who reside in urban areas.

Percent scheduled caste or scheduled tribe. Caste is a salient dimension in Indian politics (?) and voters that belong to a scheduled caste or tribe differ from other voters in three important respects. First, members of a scheduled caste or tribe belong to a historically oppressed population, both socially and economically. As such, these voters have been known to turn to local elites with a demonstrated ability to protect group interests (like providing security). These elites are also active politically and may also have a criminal charge given their ability to engage in violence (Kohli, 2009; Vaishnav, 2011*a*). Second, as members of an economically and socially excluded population,<sup>6</sup> these voters may be more receptive to vote buying and/or be more vulnerable to intimidation tactics.

Finally, voters may be more inclined to support criminal candidates if they share a caste affiliation. This is especially true when political competition is “ethnified” and centers around identity politics or sectarian appeals (Banerjee and Pande, 2007). In this scenario, voters are willing to vote for a criminal candidate in order to capture the psychological benefits of voting for a co-ethnic candidate. Taken together, I expect that parties will be more likely to nominate criminal and/or wealthy candidates in districts and states that have a higher percentage of its population belong to a scheduled caste or tribe.

#### 4.3.2 Political Variables

I control for two types of political variables. The first type pertains to the political characteristics of a constituency and/or state, while the second type pertains to the attributes of a party statewide. With respect to the political characteristics of a constituency or state, I control for the level of electoral fragmentation at both levels, and also whether a constituency is reserved for a member

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<sup>6</sup>There is negative correlation between the percent of a district’s population that belongs to a scheduled caste or tribe and the percent of a district’s population that is literate.

of scheduled caste or tribe. With respect to the attributes of a party statewide, I control for the proportion of seats in a state a party was within 5 percentage points of winning or losing, and for its state level vote share in the prior election.

### 4.3.3 Political characteristics of a constituency or state

Electoral fragmentation. To control for constituency level fragmentation, I calculate the effective number of candidates *ENC*; to control for state level fragmentation I calculate the effective number of parties in the state *ENP-State*.<sup>7</sup> Though India uses a first past the post electoral rule (FPTP), electoral competition has not resulted in to two party (or two candidate) competition at the constituency level as predicted by Duverger’s law (Duverger, 1963; Cox, 1997; Diwakar, 2007). In the dataset considered here, the average effective number of candidates in each constituency is 2.9, it ranges between 1 and 9, and nearly 58 percent of constituencies have an effective number of candidate value of greater than 2.5. Thus in general, electoral competition is fragmented at the constituency level, though there is a great deal of variation.

The level of political fragmentation in a constituency influences a party’s decision to nominate a criminal candidate in two related ways. First, in fragmented constituencies, parties can win elections by appealing to a narrower slice of the electorate. Because the relative advantages of nominating a criminal is constrained by the candidate’s level of resources and organizational capacity, criminals are more effective when they only have to focus on a smaller portion of the electorate. Second, fragmented constituencies also have a lower threshold for victory than two party elections. The lower threshold increases the overall level of competitiveness of an election, and this increases the marginal utility of votes to parties, resulting in an increase demand for criminal candidates. Thus parties are more likely to nominate criminal candidates in constituencies that are politically fragmented.

With respect to fragmentation at the state level, recall that parties are more likely to nominate criminal candidates based in part by how valuable a seat is for party. States with a higher ENP are more likely to have coalition governments. By definition, the possibility of a government coalition means that multiple parties have a chance to be a part of the government and thus these parties

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<sup>7</sup>I calculate these variables using the following formula:

$N = \frac{1}{\sum p_i^2}$  where p is the vote share of a candidate or party in an election.

will have an increasing utility for winning seats. Thus as the importance of each seat increases, so does the demand for candidates that can help parties win seats. Thus parties are more likely to nominate criminal candidates in states that are politically fragmented.

Reserved status. Constituencies also differ with respect to whether or not they are reserved for a member of a scheduled caste or tribe. In the data analyzed here, nearly 24 percent of constituencies are reserved. Reserved constituencies differ from non reserved constituencies in three important respects. First, reserved constituencies are less urban and less literate than non reserved constituencies. To the extent that urbaness and literacy is a proxy for wealth and human capital, this indicates that voters in reserved constituencies are less wealthy than voters in non reserved constituencies and thus may be more receptive (or vulnerable) to the strategies of criminal candidates. Second, by definition, reserved constituencies have a higher share of voters that belong to a scheduled caste or tribe. As mentioned above, these voters tend to be members of a socially and economically oppressed population and may be more inclined to vote for criminal candidates, either because these voters have a higher demand for the services that criminal candidates can provide, or because they are willing to overlook a candidate’s criminality in elections where caste, or ethnic, politics is dominant.

Third, reserved constituencies differ from non reserved constituencies because the political dynamics differ in unobservable ways. In particular, caste issues (or ethnicity) may be less salient in these constituencies because the ethnic identity of the winning candidate is known in advance. In these constituencies, parties try to make overtures to members of the electorate who do not belong to a scheduled caste or tribe. Thus, they try to reduce the importance of identity in an election making a constituency less “ethnified”. Thus in reserved constituencies, parties are less likely to nominate criminal candidates (Vaishnav, 2011*a*).

#### **4.3.4 Statewide party characteristics**

The characteristics of a party state-wide influences both the value it places on seats and its willingness to incur the reputational cost of nominating a criminal candidate. Parties that have a high value for seats are more likely to nominate a criminal candidate, all else being equal, and parties that are more sensitive to the cost of nominating a criminal are less likely to do so. I explore these considerations in greater detail in other work, but for now I include the following controls.

Proportion of competitive seats. I theorize that parties on the cusp of winning or losing a particular seat benefit the most from nominating a criminal candidate. A similar logic can be applied to parties statewide: parties that are on the cusp of being a member (or sole member) of the ruling coalition may also benefit the most from nominating a criminal. This is because for these parties, the marginal value of seats is higher than for parties that either have no chance at becoming a part of the ruling coalition, or for parties that are comfortably in a position to rule.

As a parliamentary democracy, parties that win a majority of seats get to form a government. If there is no majority party, then coalition governments are possible. Given this dynamic, parties can maximize their chances of being a member of the ruling coalition by winning as many seats as possible. Thus parties can be on the cusp of becoming a member of the ruling coalition if they either are a few seats away from a majority, or if they are a few votes away from winning several seats.

The variable *Proportional competitive* is a proxy for this second possibility. It measures the proportion of a state's seats that a party was within 5 percentage points of winning or losing. If parties are in a competitive position in many seats, then the difference of a few percentage points in vote share may spell the difference between being a member of the ruling coalition and being in the opposition. Thus these parties would have a higher marginal value on seats and thus be more likely to nominate a criminal candidate. If this logic holds, then I expect a positive relationship between *Proportional competitive* and the likelihood it nominates a criminal candidate.

On the other hand, given their precarious position state-wide, these parties may be especially sensitive to incurring a reputational cost that comes with nominating a criminal, as it could jeopardize its ability to win these marginal seats. If this logic holds, then I expect a negative relationship between *Proportional competitive* and the likelihood it nominates a criminal candidate.

Prior statewide vote share. Parties also differ with respect to their willingness to incur the reputational cost of nominating a criminal candidate. On the one hand, parties that successfully compete statewide (that is, they compete in almost every seat and have a relatively high statewide vote share) are more exposed to the reputational cost of nominating a criminal. In addition, these parties may also have the capacity to recruit and field quality candidates without a criminal record by virtue of its size and popularity statewide. Thus these parties may be less likely to nominate a candidate with a criminal record, all else being equal.



On the other hand, these parties may have the capacity to absorb the reputational cost of nominating a criminal better than lesser parties. That is to say, while these parties incur a cost to its reputation for nominating a criminal, it can rely on its resources and popularity state wide to absorb this cost without jeopardizing its position in other seats. Thus these parties may be more likely to nominate a candidate with a criminal record, all else being equal. In order to proxy for a party's size and popularity statewide, I create the variable *Prior state share* that measures the share of the state vote a party garnered in the previous election.

## 5 Analysis and Results

In order to test these hypotheses, I use a logit analysis to examine the relationship between a party's electoral competitiveness and the probability it nominates a criminal candidate. The dependent variables are binary and they denote whether a party nominates a candidate with a criminal record (or has been charged committing a violent crime). I proxy for how competitive a party is in a constituency with its margin of victory (or defeat) in the prior election. Finally, I include the square of a party's prior margin of victory as a regressor because the hypothesized relationship between competitiveness and a party's nominating decision is non linear.

Thus I estimate the following equation:

$$\begin{aligned}
Pr(CrimStatus_{i,c,d,s} == 1) = & L(\beta_0 + \beta_1 * Prior\_margin\_of\_victory_{i,c,d,s} \\
& + \beta_2 * Prior\_margin\_of\_victory^2_{i,d,s} + \mathbf{ConstituencyControls}_{c,d,s} * \gamma \\
& + \mathbf{PartyControls}_{i,s} * \pi \\
& + \mathbf{DistrictControls}_{d,s} * \delta \\
& + \mathbf{StateControls}_s * \lambda + \epsilon_{c,d,s})
\end{aligned}$$

where *CrimStatus* is whether party i nominated a candidate with a criminal record (or violent criminal record) in constituency c, district d, and state s; *Prior margin of victory* is how far party i was from winning or losing constituency c in the prior election; *Prior margin of victory*<sup>2</sup> is the square of *Prior margin of victory*; *ConstituencyControls* is a vector of control variables at the constituency level; *PartyControls* is a vector of control variables for the statewide characteristics of

a party; *DistrictControls* is a vector of control variables at the district level; and *StateControls* is a vector of control variables at the state level.  $L$  represents the logistic regression and errors are clustered at the constituency level.

## 5.1 Results

Figures 4 and 5 are binned scatter plots that graph the relationship between the proportion of candidates that have a criminal record (Figure 4) or have been charged with committing a violent crime (Figure 5) and the electoral position of a party in a constituency. Here, the x-axis is divided into discrete bins that have a width of 1 percentage point and each dot represents the proportion of candidates within that bin with a criminal charge. These plots generally support the hypothesis that electorally competitive parties are more likely to nominate criminal candidates. However, there are outliers as several parties that won their seats easily still nominated candidates with a criminal charge, thus contradicting the expectations laid out in this paper.

There are two things to note about these outliers. First, they constitute a very small portion of the data. Only 110 observations (about 1 percent of all observations) won its constituency by more than 35 percentage points in the prior election, and of these 110, only 28 ( 0.03 percent of all observations) nominated candidates with criminal records. Second, these outlying parties nominated exceptionally wealthy candidates and thus their logic behind nominating these criminals may be more about nominating wealthy candidates than nominating criminal candidates.

In separate work, I examine the relationship between the electoral competitiveness of a party and the wealth of the candidate it nominates. Essentially, I argue that relatively dominant parties are in an advantaged position with respect to their ability to nominate the wealthiest candidates because they offer candidates the surest path to office (Figure 6). A closer examination of these outliers supports this theory. Parties that won their prior election by 35 percentage points or more nominate candidates that are, on average, 9 times wealthier than the average candidate. This wealth disparity is even more striking for criminals: the 28 candidates with criminal records nominated by dominant parties are, on average, 29 *times* wealthier than the average candidate.<sup>8</sup> Thus the

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<sup>8</sup>Note that I am comparing the relative wealth of candidates nominated by relatively dominant parties with the average wealth of candidates that were nominated by parties that are re-contesting the same constituency. The wealth disparity is even more striking if use the average candidate wealth of all party affiliated candidates between 2003 and 2007. Candidates nominated by dominant parties are, on average, 28 times wealthier than the average candidate; candidates with a criminal record that are nominated by dominate partis are 94 times wealthier than the average

presence of these outliers may be indicative of the relationship between wealth and competitiveness which confounds the relationship between competitiveness and criminality. In order to examine whether or not these outliers impact the empirical results, I present two sets of analyses below. One with all observations included and one with these 108 outliers excluded.

Tables 2 and 3 examines the relationship between electoral competitiveness and criminality parametrically, including all observations. Recall that a negative coefficient on the squared regressor (*Prior margin of victory squared*) supports the hypothesis that there is an inverted-U relationship between the competitiveness of a party and the probability it nominates a criminal candidate. A coefficient of zero on the non-squared regressor (*Prior margin of victory*) supports the hypothesis that parties that face the most competition (those with a margin of victory of zero) are the most likely to nominate a criminal candidate.

According to these results, there is a curvilinear relationship between the electoral competitiveness of a party and the probability it nominates a candidate with a criminal record (this is also true for candidates charged with a violent crime). However, the positive coefficient on *Prior margin of victory* implies that the most competitive parties are *not* the most likely to nominate a criminal candidate. Figures 7 and 8 present these results visually. They recreate the binned scatter plots mentioned above and superimpose the predicted probability that a party nominates a candidate with a criminal record (or with committing a violent crime). These predicted values were generated using a logit model that includes all controls (except state level fixed effects), setting the value of all covariates to their mean values, or zero in the case of dummy variables.

As seen here, there is a curvilinear relationship between competitiveness and criminality, but parties with a prior margin of victory of zero are *not* the most likely to nominate a criminal candidate. It is also apparent that the outliers are exerting some influence over these results as the predicted values of the data model do not fully conform to the data. In particular, the logit model overstates the degree to which a winning party nominates a candidate with a criminal record.

Figures 9 and 10 recreate these analyses but excludes parties that won their prior election by 35 percentage points or more (110 observations). Omitting these observations changes the results. Here, parties with a prior margin of victory of zero are the most likely to nominate a candidate with a criminal record, in-line with this paper's expectations. Furthermore, these predicted values

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candidate.

seem to fit the data better but they may still be over stating the degree to which winning parties nominate criminals. This may be due to the fact that, as mentioned above, parties that do well in the previous election nominate wealthier candidates. These parties are thus willing to incur the reputational cost of nominating a criminal in exchange for the additional benefit of having access its candidate's wealth. Future work will focus on disentangling these confounding effects.

Tables 4 and 5 present results from the logit analysis that excluded the 110 outliers. The negative coefficient of the squared regressor indicates that there is an inverted-U relationship between electoral competitiveness and the probability a party nominates a criminal candidate. Furthermore, because the coefficient of *Prior margin of victory* is statistically indistinguishable from zero, these results support the hypothesis that parties that faced the highest degree of electoral competition are the most likely to nominate a criminal candidate.

Substantively speaking, the impact of competitiveness on the decision to nominate a candidate with a criminal record becomes apparent for parties that are about 22 percentage points (or 1 standard deviation) away from winning or losing (Table 6). The baseline probability that a party right at the cusp of winning an election (where its prior margin of victory is zero) nominates a candidate with any criminal record is about 21 percent. Parties that won their seat by 22 percentage points are 2.3 percentage points less likely to nominate a criminal candidate, though this is not significant at the 95 percent level. Parties that lost their previous election by 22 percentage points are 2.6 percentage points less likely to nominate a criminal candidate.

A similar trend holds for parties that nominate candidates charged with committing violent crimes. The baseline probability that a competitive party nominates such a candidate is 11.8 percent. Parties that won their seat by 22 percentage points are 1.9 percentage points less likely to nominate a candidate charged with a violent crime, and parties that lost their prior election by 22 percentage points are 1.8 percentage points less likely to nominate such a candidate. All told, uncompetitive parties are about 10 to 16 percent less likely to nominate a candidate with a criminal record - violent or otherwise.

Finally, the relationship between a party's statewide characteristics and its nominating behavior merit comment. Parties that were in a competitive position in many seats in a state election are more likely to nominate a candidate with a criminal record. This suggests that the electoral incentives for nominating a criminal candidate also operates at the state level: if a party is on the cusp of

being a member of the ruling coalition, the more likely it is to nominate criminals.

Larger, or more popular, parties (as measured by the share of the state vote it won in the prior election) are less likely to nominate a criminal candidate. Combining this result with the previous one, it appears that parties are willing to nominate a criminal candidate in order to win seats and potentially become a part of government, but they are also protective of their reputation. Interestingly, there does not seem to be any evidence that large, popular, or relatively dominant parties, are attempting to hoard criminals. Thus despite possessing an electoral advantage, criminals are more likely to be sought after by marginal parties, those on the cusp of winning or losing.

## 6 Conclusion

This paper examined whether democratic competition increased, or decreased, the likelihood that parties nominated candidates with criminal records. I found that parties that faced the most competition, those on the cusp of winning or losing a seat, were the most likely to nominate criminal candidates- even candidates charged with violent crimes. Thus, instead of discouraging the selection of “bad” politicians, Indian democracy appears to be encouraging it.

Why do we see this outcome in India? First, it is important to bear in mind that the phrase “quality candidate” has two different types of meanings. One type refers to the attributes of a candidate that can make him or her an effective political representative, one that is able to make government perform better on behalf of citizens (Caselli and Morelli, 2004). The other type of meaning refers to the attributes of a candidate that makes him or her good at winning elections. Jacobson (1989) and Shugart, Valdini and Souminen (2005) seem to have this definition in mind when they examine the personal factors that make a candidate good at winning elections: otherwise known as the personal vote. Thus understanding why competitive parties nominate criminals requires understanding the basis of the personal vote in India, and why criminals are in an advantaged position to cultivate it.

Yet, there is also evidence that parties are at least a little mindful of the fact that nominating a criminal carries a cost, and possibly a cost to their reputation. If parties were not mindful of this, then we would expect all parties to pursue criminal politicians in a bid to acquire the resources and advantages criminals have. The fact that there is evidence that parties are basing their decision

to nominate a criminal candidate as if it carries a cost implies that parties might be reacting to a democratic pressure that does discourage the selection of “bad” politicians.

Thus it appears that there are two countervailing democratic pressures in India. The first type of pressure occurs within a constituency and speaks to the fact that normatively bad candidates may actually be “good” politicians. The second type of pressure is reflective of the fact that a quality candidate in one constituency might be considered a “bad” politician outside of it. Thus another puzzle of Indian democracy is why voters do not punish parties *more* for having a negative valence (from nominating criminals) the way voters in Europe seem to do (Clark, 2009). Future work will examine whether parties are more likely to nominate criminal candidates in areas of the country where voters do not base their decision to vote on the attributes of the party label.

Figure 1: Relationship between a party's expected vote share and its probability of winning a seat.

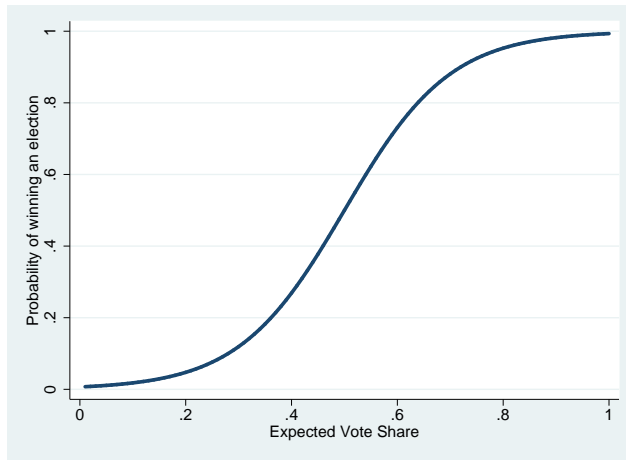


Figure 2: Comparing the marginal benefit and cost of nominating a criminal candidate.

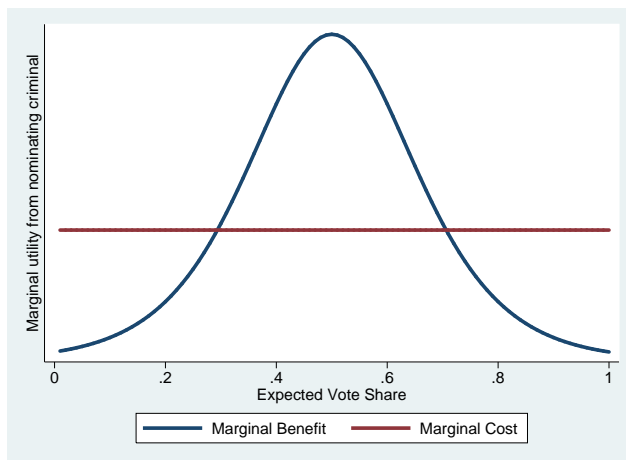


Figure 3: Histogram of the margin of victory or defeat of parties in their electoral constituency in the prior election. 2003-2007

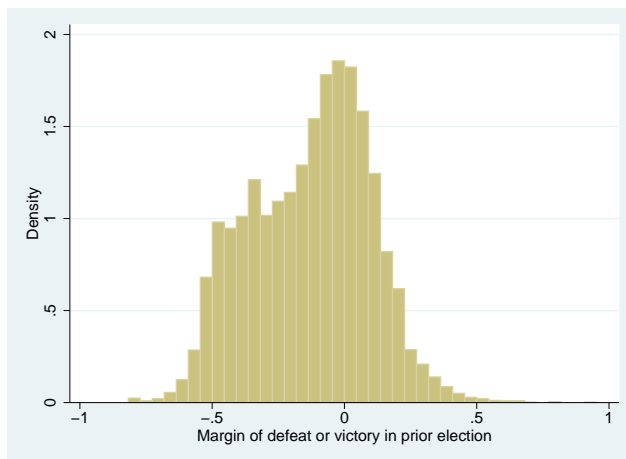


Figure 4: Relationship between the proportion of candidates with criminal records and the margin of victory or defeat of the parties that nominate them. . 2003-2007

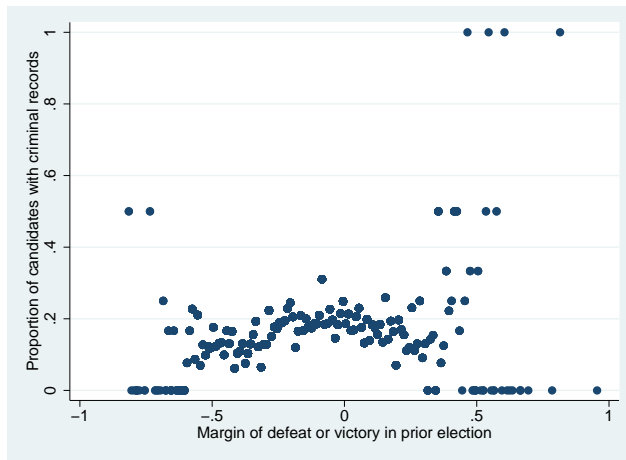


Figure 5: Relationship between the proportion of candidates with criminal records and the margin of victory or defeat of the parties that nominate them. 2003-2007

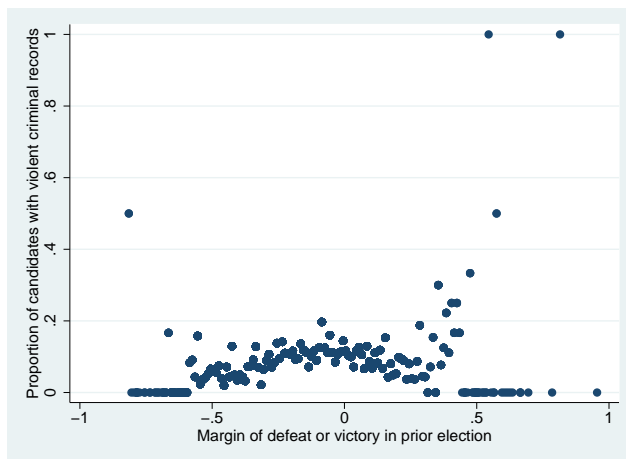


Figure 6: Relationship between the natural log of candidate's wealth and the margin of victory or defeat of the parties that nominate them. 2003-2007

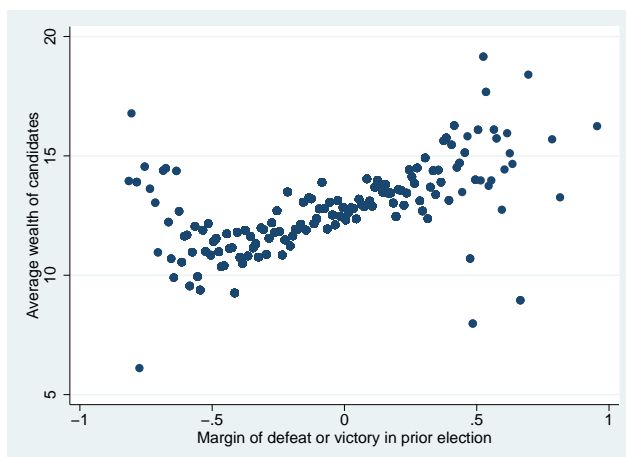




Figure 7: Predicted probability that a party nominates a candidate with a criminal record. All observations included. 2003-2007

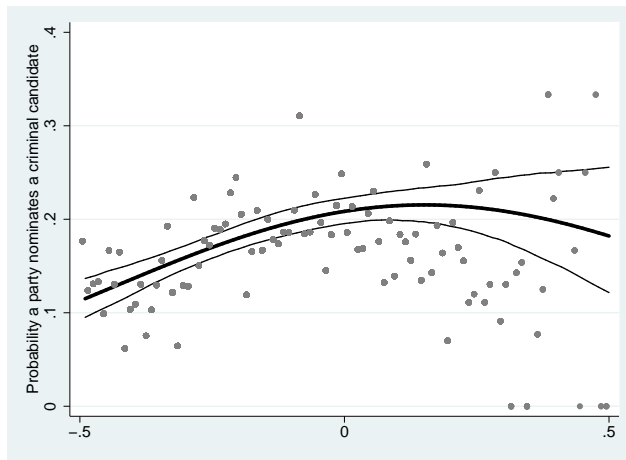


Figure 8: Predicted probability that a party nominates a candidate with a violent criminal record. All observations included. 2003-2007

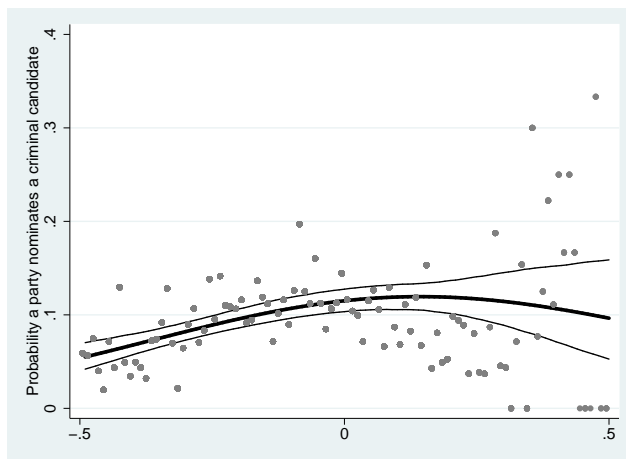


Figure 9: Predicted probability that a party nominates a candidate with a criminal record. Outliers excluded. 2003-2007

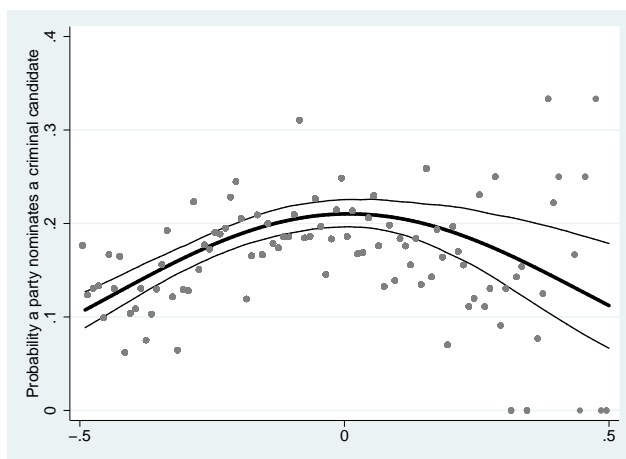


Figure 10: Predicted probability that a party nominates a candidate with a violent criminal record. Outliers excluded. 2003-2007

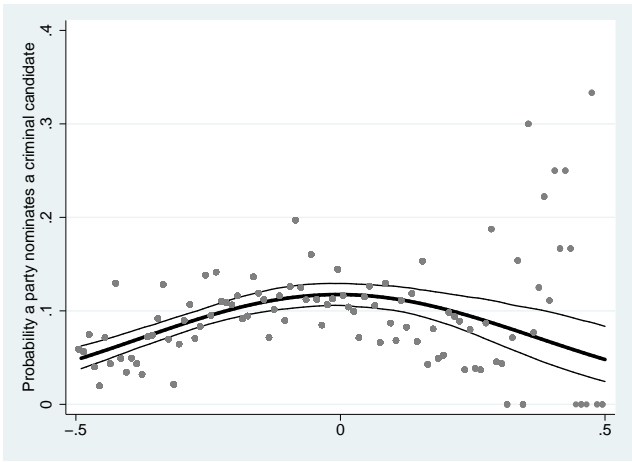


Table 1: Summary statistics of selected variables pertaining to parties and candidates in state elections. 2003-2007

|   | N    | Mean  | SD   | Min   | Max  |
|---|------|-------|------|-------|------|
| Criminal charge                                     | 9185 | 0.17  | 0.38 | 0.00  | 1.00 |
| Violent charge                                      | 9185 | 0.09  | 0.29 | 0.00  | 1.00 |
| Margin of defeat or victory in prior election       | 9185 | -0.13 | 0.23 | -0.82 | 0.95 |
| Effective number of candidates in prior election    | 3308 | 2.98  | 1.04 | 1.05  | 9.25 |
| Reserved seat                                       | 3347 | 0.24  | 0.42 | 0.00  | 1.00 |
| Literacy rate of district                           | 446  | 0.55  | 0.13 | 0.24  | 0.85 |
| Pct urban of district                               | 441  | 0.26  | 0.21 | 0.01  | 1.00 |
| Pct scheduled caste or tribe of district            | 446  | 0.28  | 0.18 | 0.00  | 0.98 |
| State literacy rate                                 | 21   | 0.60  | 0.11 | 0.37  | 0.80 |
| State pct urban                                     | 21   | 0.33  | 0.20 | 0.10  | 0.93 |
| Effective number of parties in prior state election | 22   | 4.44  | 1.50 | 1.74  | 7.13 |
| Share of state vote in prior election               | 402  | 0.05  | 0.11 | 0.00  | 0.52 |
| Proportion of swing seats in prior election         | 402  | 0.03  | 0.07 | 0.00  | 0.34 |

\* Electoral returns are missing for 52 constituencies thus reducing the number of observations for the variables Margin of victory and the Effective number of candidates.

\*\* Census data are missing for the state of Manipur.

Table 2: Logit analysis of the probability a party nominates a criminal candidate conditional on prior electoral performance. 2003-2007

|   |                       |                       |                       |                       |
|---|-----------------------|-----------------------|-----------------------|-----------------------|
| Any criminal  |                       |                       |                       |                       |
| Margin of defeat or victory in prior election           | 0.341<br>(0.210)      | 0.607***<br>(0.217)   | 0.551**<br>(0.218)    | 0.661***<br>(0.227)   |
| Margin of defeat or victory in prior election (squared) | -1.583***<br>(0.579)  | -1.821***<br>(0.655)  | -1.831***<br>(0.662)  | -1.869***<br>(0.702)  |
| Reserved seat   | -0.466***<br>(0.0818) | -0.477***<br>(0.0824) | -0.495***<br>(0.0826) | -0.506***<br>(0.0829) |
| Effective number of candidates in prior election        | 0.0346<br>(0.0317)    | -0.0437<br>(0.0387)   | -0.0791*<br>(0.0420)  | -0.0221<br>(0.0431)   |
| Literacy rate of district                               | -0.262<br>(0.299)     | -0.165<br>(0.301)     | 0.563<br>(0.478)      | 0.853*<br>(0.491)     |
| Pct urban of district                                   | -0.0114<br>(0.169)    | 0.0424<br>(0.169)     | 0.399*<br>(0.211)     | 0.432**<br>(0.211)    |
| Pct scheduled caste or tribe of district                | -1.914***<br>(0.317)  | -1.799***<br>(0.310)  | -0.934**<br>(0.449)   | -0.573<br>(0.389)     |
| Proportion of swing seats in prior election             |                       | 2.794***<br>(0.477)   | 2.294***<br>(0.484)   | 4.963***<br>(0.754)   |
| Share of state vote in prior election                   |                       | -2.725***<br>(0.407)  | -2.068***<br>(0.440)  | -4.062***<br>(0.576)  |
| State literacy rate                                     |                       |                       | -0.653<br>(0.605)     |                       |
| State pct urban   |                       |                       | -1.018***<br>(0.369)  |                       |
| Pct scheduled caste or tribe of district                |                       |                       | -1.027**<br>(0.513)   |                       |
| Effective number of parties in prior state election     |                       |                       | 0.0484**<br>(0.0240)  |                       |
| Constant  | -0.869***<br>(0.225)  | -0.501*<br>(0.275)    | -0.512<br>(0.359)     | -2.433***<br>(0.376)  |
| State FX  | No                    | No                    | No                    | Yes                   |
| Pseudo $R^2$  | 0.022                 | 0.028                 | 0.031                 | 0.055                 |
| Observations  | 9052                  | 9052                  | 9052                  | 8881                  |

Standard errors in parentheses

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

Table 3: Logit analysis of the probability a party nominates a criminal candidate conditional on prior electoral performance. 2003-2007

|   |                      |                      |                      |                      |
|---|----------------------|----------------------|----------------------|----------------------|
| Violent criminal  |                      |                      |                      |                      |
| Margin of defeat or victory in prior election           | 0.404<br>(0.271)     | 0.696**<br>(0.281)   | 0.604**<br>(0.280)   | 0.670**<br>(0.283)   |
| Margin of defeat or victory in prior election (squared) | -1.863**<br>(0.802)  | -2.104**<br>(0.891)  | -2.173**<br>(0.897)  | -1.882**<br>(0.926)  |
| Reserved seat   | -0.506***<br>(0.105) | -0.521***<br>(0.105) | -0.550***<br>(0.107) | -0.524***<br>(0.106) |
| Effective number of candidates in prior election        | 0.100**<br>(0.0407)  | 0.0186<br>(0.0495)   | -0.0378<br>(0.0539)  | 0.0132<br>(0.0568)   |
| Literacy rate of district                               | -0.946**<br>(0.417)  | -0.816**<br>(0.414)  | 0.685<br>(0.642)     | 0.895<br>(0.691)     |
| Pct urban of district                                   | -0.0207<br>(0.230)   | 0.0445<br>(0.227)    | 0.409<br>(0.263)     | 0.410<br>(0.274)     |
| Pct scheduled caste or tribe of district                | -2.224***<br>(0.415) | -2.078***<br>(0.410) | -1.307**<br>(0.598)  | -1.047*<br>(0.590)   |
| Proportion of swing seats in prior election             |                      | 3.120***<br>(0.654)  | 2.327***<br>(0.653)  | 3.368***<br>(0.996)  |
| Share of state vote in prior election                   |                      | -3.088***<br>(0.542) | -2.010***<br>(0.587) | -2.645***<br>(0.796) |
| State literacy rate                                     |                      |                      | -1.386*<br>(0.792)   |                      |
| State pct urban   |                      |                      | -1.268**<br>(0.524)  |                      |
| Pct scheduled caste or tribe of district                |                      |                      | -0.146<br>(0.703)    |                      |
| Effective number of parties in prior state election     |                      |                      | 0.102***<br>(0.0330) |                      |
| Constant  | -1.312***<br>(0.299) | -0.933***<br>(0.359) | -1.343***<br>(0.456) | -2.949***<br>(0.491) |
| State FX  | No                   | No                   | No                   | Yes                  |
| Pseudo $R^2$  | 0.029                | 0.035                | 0.043                | 0.056                |
| Observations  | 9052                 | 9052                 | 9052                 | 8826                 |

Standard errors in parentheses

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

Table 4: Logit analysis of the probability a party nominates a criminal candidate conditional on prior electoral performance. Excluding outliers. 2003-2007

|   |                       |                       |                       |                       |
|---|-----------------------|-----------------------|-----------------------|-----------------------|
| Any criminal  |                       |                       |                       |                       |
| Margin of defeat or victory in prior election           | -0.185<br>(0.239)     | 0.0834<br>(0.252)     | 0.0435<br>(0.254)     | 0.107<br>(0.258)      |
| Margin of defeat or victory in prior election (squared) | -2.959***<br>(0.644)  | -3.260***<br>(0.712)  | -3.230***<br>(0.716)  | -3.406***<br>(0.736)  |
| Reserved seat   | -0.455***<br>(0.0825) | -0.466***<br>(0.0832) | -0.486***<br>(0.0835) | -0.500***<br>(0.0839) |
| Effective number of candidates in prior election        | 0.0234<br>(0.0316)    | -0.0570<br>(0.0387)   | -0.0920**<br>(0.0421) | -0.0359<br>(0.0429)   |
| Literacy rate of district                               | -0.284<br>(0.303)     | -0.196<br>(0.306)     | 0.485<br>(0.486)      | 0.775<br>(0.500)      |
| Pct urban of district                                   | 0.0197<br>(0.172)     | 0.0771<br>(0.171)     | 0.453**<br>(0.211)    | 0.494**<br>(0.213)    |
| Pct scheduled caste or tribe of district                | -1.953***<br>(0.320)  | -1.838***<br>(0.312)  | -0.938**<br>(0.456)   | -0.560<br>(0.395)     |
| Proportion of swing seats in prior election             |                       | 2.740***<br>(0.489)   | 2.250***<br>(0.493)   | 4.954***<br>(0.758)   |
| Share of state vote in prior election                   |                       | -2.754***<br>(0.417)  | -2.103***<br>(0.447)  | -4.133***<br>(0.583)  |
| State literacy rate                                     |                       |                       | -0.579<br>(0.609)     |                       |
| State pct urban   |                       |                       | -1.060***<br>(0.372)  |                       |
| Pct scheduled caste or tribe of district                |                       |                       | -1.085**<br>(0.523)   |                       |
| Effective number of parties in prior state election     |                       |                       | 0.0477*<br>(0.0248)   |                       |
| Constant  | -0.816***<br>(0.225)  | -0.419<br>(0.277)     | -0.430<br>(0.364)     | -2.331***<br>(0.382)  |
| State FX  | No                    | No                    | No                    | Yes                   |
| Pseudo $R^2$  | 0.023                 | 0.029                 | 0.033                 | 0.057                 |
| Observations  | 8942                  | 8942                  | 8942                  | 8777                  |

Standard errors in parentheses

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

Table 5: Logit analysis of the probability a party nominates a criminal candidate conditional on prior electoral performance. Excluding outliers. 2003-2007

|   |                      |                      |                       |                      |
|---|----------------------|----------------------|-----------------------|----------------------|
| Violent criminal  |                      |                      |                       |                      |
| Margin of defeat or victory in prior election           | -0.260<br>(0.296)    | 0.0273<br>(0.311)    | -0.0270<br>(0.312)    | 0.0151<br>(0.313)    |
| Margin of defeat or victory in prior election (squared) | -3.684***<br>(0.865) | -4.019***<br>(0.954) | -4.018***<br>(0.960)  | -3.838***<br>(0.969) |
| Reserved seat   | -0.520***<br>(0.106) | -0.535***<br>(0.107) | -0.566***<br>(0.108)  | -0.541***<br>(0.108) |
| Effective number of candidates in prior election        | 0.0863**<br>(0.0408) | 0.00283<br>(0.0497)  | -0.0527<br>(0.0540)   | -0.00424<br>(0.0568) |
| Literacy rate of district                               | -0.940**<br>(0.424)  | -0.823*<br>(0.421)   | 0.639<br>(0.650)      | 0.845<br>(0.698)     |
| Pct urban of district                                   | -0.0125<br>(0.234)   | 0.0559<br>(0.230)    | 0.455*<br>(0.266)     | 0.466*<br>(0.279)    |
| Pct scheduled caste or tribe of district                | -2.233***<br>(0.415) | -2.086***<br>(0.411) | -1.314**<br>(0.601)   | -1.036*<br>(0.594)   |
| Proportion of swing seats in prior election             |                      | 2.998***<br>(0.667)  | 2.210***<br>(0.663)   | 3.383***<br>(1.012)  |
| Share of state vote in prior election                   |                      | -3.080***<br>(0.553) | -2.029***<br>(0.598)  | -2.792***<br>(0.812) |
| State literacy rate                                     |                      |                      | -1.289<br>(0.798)     |                      |
| State pct urban   |                      |                      | -1.417***<br>(0.543)  |                      |
| Pct scheduled caste or tribe of district                |                      |                      | -0.142<br>(0.717)     |                      |
| Effective number of parties in prior state election     |                      |                      | 0.0985***<br>(0.0340) |                      |
| Constant  | -1.256***<br>(0.302) | -0.845**<br>(0.361)  | -1.234***<br>(0.463)  | -2.828***<br>(0.498) |
| State FX  | No                   | No                   | No                    | Yes                  |
| Pseudo $R^2$  | 0.031                | 0.037                | 0.045                 | 0.058                |
| Observations  | 8942                 | 8942                 | 8942                  | 8722                 |

Standard errors in parentheses

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

Table 6: Table of first differences. Simulated probability a party nominates a criminal candidate conditional on its competitiveness.

|   | Mean   | 95% Confidence Interval |
|---|--------|-------------------------|
| <i>Probability a party nominates a candidate charged with any crime</i>       |        |                         |
| Party's prior margin of victory = 0   | 0.21   | (0.196,0.224)           |
| First Difference: Margin of victory = +22 percent                             | -0.023 | (-0.046, 0.002)         |
| First Difference: Margin of victory = -22 percent                             | -0.026 | (-0.039, -0.013)        |
| <i>Probability a party nominates a candidate charged with a violent crime</i> |        |                         |
| Party's prior margin of victory = 0   | 0.117  | (0.106,0.136)           |
| First Difference: Margin of victory = +22 percent                             | -0.019 | (-0.038,-0.000)         |
| First Difference: Margin of victory = -22 percent                             | -0.018 | (-0.034,-0.003)         |



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