

# OPINION POLLS: CHANGING THE WAVES OF ELECTION CAMPAIGN

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## **Abstract**

*There is a need to demonstrate in context of the present scenario of how opinion polls intend to sense the nerve of the people and know what the public opinion is. Opinion polls are mainly being used for assessing the public view on the prevailing electoral atmosphere and the popularity of the players fighting in it. Since times immemorial, vox populi or the voice of the people has been given immense importance and without doubt, public opinion is the basis of the assertions of any democracy. Going by the claims of opinion polls, they do reflect a lot of what people think and might translate into actions. However, whether all opinion polls are accurate and truly representative of the population that has been surveyed is questionable. Unlike any other event or media report, opinion polls too tend to influence both –people and leaders. Focus should be on making and showcasing ‘informed’ opinion rather than twisting and forming an ‘inclined’ opinion. Political parties clearly seem divided on the proposition of EC to ban opinion polls. After all, their credibility is the first thing in question. And if the influence is being talked about, then media reportage is equally effective in swaying the public opinion.*

**Key Words: Democracy, Opinion polls, Exit polls, public opinion, Election commission, Media**

## **Introduction**

As the name suggests, opinion polls intend to sense the nerve of the people and know what the public opinion is. In context of the present scenario, opinion polls are mainly being used for assessing the public view on the prevailing electoral atmosphere and the popularity of the players fighting in it. Since times immemorial, vox populi or the voice of the people has been given immense importance and without doubt, public opinion is the basis of the assertions of any democracy. Going by the claims of opinion polls, they do reflect a lot of what people think and might translate into actions.

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Polls are a tool for measuring the opinions and beliefs of a population on a given topic, without providing explanations for why individuals hold those beliefs or how to change their minds. This information can be valuable in promoting cross-cultural understanding by allowing people to express their own views, rather than relying solely on the perspectives of leaders and politicians. It gives an opportunity to common people to access the media.

Political parties clearly seem divided on the proposition of EC to ban opinion polls. Those with winning prospects support them while the opponents give the reason of skewed criteria and unwanted influence on the voters. Politicians often deny the use of opinion polls, arguing that they provide inaccurate information. Many politicians claim that they can read the political pulse of the people through meetings with constituents and to see their response in rallies. However, the problem is relying entirely on these meetings and rallies are unlikely to get an accurate picture of public opinion. The types of people who attend rallies are different than the public at large. It is the public after all that elects the politicians. Therefore, the debates, discussions and fights on whether these polls should be banned or not is useless as the politicians also need it.

However, whether all opinion polls are accurate and truly representative of the population that has been surveyed is questionable. If the opinion polls are conducted in a fair manner and the criteria adopted are in sync with the actual ideologies of the people, they can boast of having given voice to the large numbers with the effect. It cannot be ignored that unlike any media report, opinion polls too tend to influence the mass and leaders equally. It reflects the idea and concept of the majority and minority thinking. Such effects could change the course of action and generate different responses.

Thus, instead of the result the method has to be looked into. If the ways of conducting an opinion poll are accurate, unbiased and democratic in nature, the results should also be accepted in a matter-of-fact manner. Influences are unavoidable and change is unpredictable. Here is where in media's role comes into light. Focus should be on making and showcasing 'informed' opinion rather than twisting and forming an 'inclined' opinion.

If the influence is being talked about, then media reportage is equally effective in swaying the public opinion. Opinion polls are not the sole factor in contributing to the change in people's mindsets.<sup>1</sup>

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1 E.J. Dionne, Jr. and Thomas E. Mann, "Polling and Public Opinion" available at <https://www.brookings.edu/articles/polling-public-opinion-the-good-the-bad-and-the-ugly/>

## Opinion Polls<sup>2</sup> and Constitution of India

The Indian Constitution guarantees the right to freedom of speech and expression under Article 19(1)(a), which allows individuals to express themselves freely. While the freedom of the press is not explicitly mentioned in Article 19, it is widely recognized that freedom of expression encompasses this right. However, reasonable restrictions may be imposed in the interest of public order, state security, decency, or morality.

Section 126 of the Representation of the People Act, 1951, as amended, prohibits public meetings or campaigning in a constituency for 48 hours before the conclusion of polling. This includes convening, holding, attending, joining or addressing any public meeting or procession related to an election (126 (1)(a)), as well as propagating election-related material to the public through musical concerts, theatrical performances, or other forms of entertainment.

The government of India was directed by Election Commission (EC) to enact a legislation to ban the release of opinion poll results after the announcement of elections. This is because most political parties are against opinion polls and believe that they can influence voters unfairly. It had previously banned opinion polls from being released in the 48 hours leading up to an election, but this was not enough to satisfy the political parties. The EC now believes that a complete ban on opinion polls is necessary to ensure that elections are fair and impartial. The EC has stated that the publication of opinion polls can influence voters in a number of ways. For example, it can discourage people from voting if they believe that their preferred candidate is not going to win. It can also lead to voters making their decision based on the polls, rather than on their own research and understanding of the issues. The EC believes that the right to freedom of speech does not extend to the publication of opinion polls. This is because the polls can have a significant impact on the outcome of an election, and they can also undermine the fairness of the process.

The government is currently considering the EC's request, and it is not yet clear whether a law banning opinion polls will be enacted. However, the EC is hopeful that the government will take action to protect the integrity of elections in India.

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2 An occasion when people are asked questions to discover what they think about a subject available at <https://dictionary.cambridge.org/dictionary/english/opinion-poll> retrieved on 14 December 2022

## Guidelines by Election Commission of India<sup>3</sup>

In 1998, the ECI prohibited the release of opinion poll results 48 hours prior to the commencement of voting and until the polls closed. Organizations or agencies that conducted and released the results of an opinion poll before the blackout were required to provide information about the survey's sample size, geographic spread, margin of error, methodology, and the organization itself.

During the 1999 election, many media outlets disregarded the ECI's ban on publishing opinion poll results and were subsequently prosecuted. The Supreme Court of India later ruled that the ECI's guidelines exceeded its authority under Article 324 of the Indian Constitution and questioned the feasibility of such a ban, given the presence of international and online media in India. The ECI's guidelines were subsequently withdrawn, and no new legislation has been passed.

When the Election Commission has withdrawn the ban with the orders of the Supreme Court of India then what makes it so disturbing that it has asked for the opinion of the political parties. While most political parties have spoken out against opinion polls, the Election Commission has once again asked the government to enact a law banning their release after the notification of elections. In a democratic setup, it would be more appropriate for the Election Commission to seek the opinion of the people rather than just political parties.

If the Election Commission is so responsible to have fair and free election then why is it asking for political parties to give their opinion, rather it should ask the people for their response and reaction regarding public opinion. As forceful legislations and the discretion of a group in isolation is not acceptable in a democratic setup.

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- 3 Organizations or agencies conducting opinion polls are free to do so at any time, except the period mentioned in clause (ii), during the run up to the polls for the aforesaid general elections to the House of the People and State Legislative Assemblies mentioned above.
- The results of any opinion polls conducted during this period cannot be published, publicized, or disseminated in any way, through any print or electronic media.
  - The same restrictions apply to exit polls, which cannot be published, publicized, or disseminated from 07:00 hours on February 16, 1998 to half an hour after the closing of polls in all states and union territories, except three parliamentary constituencies in Jammu and Kashmir.
  - Organizations or agencies conducting opinion polls or exit polls must indicate the sample size of the electorate covered by the polls, the geographic spread of the survey, the methodology used, the likely percentage of errors, the professional background and experience of the organization, and the key professionals involved in the conduct and analysis of the poll.

## **Guidelines<sup>4</sup> by the Press Council of India on ‘Pre-poll’ and ‘Exit-Polls’ Survey**

The Press Council of India has considered the publication of pre-poll surveys and their potential impact on elections. The Council advises newspapers to be cautious about allowing their platform to be used for distortions and manipulations of the electoral process. The Press Council requests that newspapers abide by this guideline and refrain from publishing exit-poll surveys until all polls have been completed.

### **Political and Ethical Issues Related to Opinion Polls**

Opinions are not the true facts; it is actually a collection of data that reflects what people say they are thinking. On the other hand, it is also true that in a democracy, opinions translate into votes and thus power. The collection of opinions has been proven to be a powerful tool that changes behaviors. The election reporting and coverage among news channels and print media has always been extensive. The reports are equally useful for public as well as political parties, often forcing them to alter their strategies.

In India the opinion polls sometimes create threat to the political parties, as the situation here is quite different. The election process involves very large number of national and regional parties and it becomes quite difficult to predict that the elections are personality based or issue based. Voter’s mood appears to be more easily swayed here. The political parties keep splitting and regrouping in different formations; old parties are broken up and new are created. All this causes voters to shift often with wide margins as in the recent Assembly Elections at Delhi where a new party emerged and captured a major amount of seats. There are very few fixed seats where the negative opinion of any political party does not make any major changes. But these threats are not mere allow any political parties to give their force opinion on banning the public opinion polls. Political parties have expressed differing views on the proposal to restrict opinion polls in the run-up to elections. With the rise of multiple news channels, opinion and exit polls have become a contentious issue, with media outlets supporting their use and political parties and the Election Commission opposing them.

Most political parties in India conduct their own surveys to gauge public opinion and develop strategies for their electoral campaigns. The question of whether or not to ban opinion polls is a complex one, and

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4 Guidelines issued by the Press Council of India available at <https://static.pib.gov.in/WriteReadData/specificdocs/documents/2021/mar/doc202131701.pdf> retrieved on 15 Dec 2022

different parties have different views on the matter. Some argue that opinion polls, like newspaper editorials, articles by journalists, political speeches, and advertisements, can influence voting behavior and should therefore be regulated. Others believe that opinion polls are a valuable tool for understanding public opinion and should not be banned. Ultimately, the decision on whether or not to ban opinion polls is up to the government and the Election Commission, who must weigh the potential benefits and drawbacks of such a ban. The parties who expect less number of votes in the elections are seem to be more prone to curb the opinion polls and its publications.

### **Tactical Voting<sup>5</sup> & its Contradictions**

Tactical voting refers to a voter's decision to adjust their vote based on the expected outcome of an election. Some political parties claim that opinion polls can influence or change the perspective of voters before an election. They argue that the results of opinion polls aired on TV can influence voters to change their minds.

From a normative perspective, voting for a party based on its chances of winning or its ability to limit the power of another party is criticized because it is not seen as a genuine expression of the voter's own preferences. Instead, it is seen as a strategic decision that is motivated by a desire to achieve a particular outcome, rather than to support a particular party or candidate.

Tactical voting is not only detrimental to democracy. It is important for voters to have access to information about the polls so that they can make informed decisions about who to vote for. However, it is also important to be aware of the potential for political parties to use unpublished polls to their advantage. For example, a political party might use unpublished polls to target their campaign efforts in areas where they are doing poorly. They might also use the polls to develop negative ads or attack strategies against their opponents. It is important for voters to be aware of these potential biases when interpreting poll results. They should also be critical of the methods used by pollsters and the way that the polls are reported.

Ultimately, it is up to each individual voter to decide how much weight to give to poll results. However, it is important to have access to this information so that voters can make informed decisions about who to vote for.

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5 Stephen D. Fisher, "Definition and Measurement of Tactical Voting: The Role of Rational Choice" Vol. 34, No. 1 (Jan., 2004), *British Journal of Political Science* pp. 152-166

## **Credibility of the Opinion Polls**

There are controversies regarding the ownership of the organizations who conduct opinion polls and it cannot be ignored that few newspapers and news channels are being biased to different political parties. It is difficult to tell the difference between a fair poll and a false one, especially if the poll is not conducted by a reputable organization. There are many ways to influence poll results, and some of these methods are unethical. It is important to be aware of these potential biases when interpreting poll results. It is also important to look for polls that are conducted by reputable organizations and that use sound methodology.

Even a well-designed poll that is administered ethically may not provide so effective information. This is because polls are only a snapshot of public opinion at a particular point in time. Public opinion can change quickly, and polls may not be able to keep up with these changes. Ultimately, it is up to each individual to decide how much weight to give to poll results. However, it is important to be aware of the potential biases and limitations of polls so that you can make informed decisions.

Opinion polls in India have not lived up to the highest standards of professionalism. The problem is not that opinion poll predictions are inaccurate. Rather it is considered to be quite interesting. All forms of polls have become a great source of information and of course a discussion for all levels from newsroom to office to living rooms. It is also recognized that exit polls and post poll surveys have proven to be better and more accurate than pre polls. The real problem with opinion polls raises few major issues firstly, their non transparency and non-professionalism and secondly, there is very little understanding among the common people or even media persons about the effects of the polls and lastly, the non sharing attitude of the polling agencies and the media organizations about the basic methodological details of the polls.

### **Role of Media: Need Focus on 'Informed' Opinion Rather Than 'Inclined' Opinion**

In a democratic system, the media serves as a conduit between politicians and the general public, disseminating information and reflecting authentic public opinion. Many polling organizations are controlled by the media, which determines the timing, methodology, topics, analysis, and publication of surveys. News organizations typically provide information

about the date of interviews, data collection methods, sample size, and overall sampling error. However, if a survey report is based primarily on a subset of the total sample, the complete wording of relevant questions and the percentages used to draw conclusions should also be disclosed. The media also has a responsibility to report on the limitations of polls. Polls are not perfect, and they can be influenced by a number of factors. The media should make sure to highlight these limitations so that voters can understand the limitations of poll results. There are few areas of criticism regarding the same:

- a) Polls are generally used for TRP purpose or the competitions between the newspapers and news channels. The trend within the news organizations is to discuss who is ahead on election fight or who has made gains or losses. Only the superficial information is being given the in depth analyses of the political processes are generally not covered or discussed.
- b) The practice of paid news is another area of concern which focuses on impartial reporting. Almost every other day all the papers and channels publish opinion polls so it becomes difficult to differentiate between the tampered one or the one which are covered with high standard of professionalism and authenticity.
- c) It is quite evident that most media organizations tend to avoid providing their readers and viewers about the necessary data to assess the authenticity, quality and validity of the results. It is also difficult for common people to understand the margin of errors, and technical information about the target group.
- d) One of the criticisms against the media is that they promote the polls to such a level of accuracy that the polls become regular topics for news stories. It cannot be denied that there are controversies that media publish opinion polls when they correspond to their own wishes of the election and hold it when they contradict them.
- e) Media houses spend huge amounts on agencies executing poll surveys for them. Media houses focus more on news creating rather than news reporting if they are involved in the sponsorship of polls.
  - Evaluation of the technical aspect as well as interpretation of the polls is more problematic for common people as it depends on how well the media describe and interpret the ingredients of opinion polls. The media needs to play a non-judgmental role

and have to be elaborative about the important details without keeping the constraint of time and space so that it cannot create misinterpretation among the readers and viewers.

- The more information media will provide about the methodology the better people will be able to understand and judge it, after all it is the common people who will judge according to their knowledge, experience and understanding.
- The information about the real issues and problems cover very less space and time to discussions and debates. For the sake of competition, TRPs and to run 24X7 news channels, more focus is given on the debates and discussions where big personalities shout and put allegations on each other in an half an hour show which comes out with almost negligible results and programmes like who will become Chief Minister or Prime Minister rather than basic reporting on issues and problems of common people. The result is media persons are left with superficial understanding of national, regional issues and people's concerns which further creates illusion in the journalistic proficiency and the complete process becomes inclined rather than informed.

## **Conclusion**

Those with winning prospects support them while the opponents give the reason of skewed criteria and unwanted influence on the voters. Instead of banning the opinion polls the EC should lay down certain strategic guidelines which would monitor the conduct and authenticity of such polls. After all, their credibility is the first thing in question. And if the influence is being talked about, then media reportage is equally effective in swaying the public opinion. Opinion polls are not the sole factor in contributing to the change in people's mindsets.

Thus, instead of the result the method has to be looked into. If the ways of conducting an opinion poll are accurate, unbiased and democratic in nature, the results should also be accepted in a matter-of-fact manner. Influences are unavoidable and change is unpredictable. The existence of several polls provides the stimulus of competition and thus encourages developments in opinion poll methodology.

Here is where in media's role comes into light. Focus should be on making and showcasing 'informed' opinion rather than twisting and forming an 'inclined' opinion. The media which conduct opinion polls should provide information with regard to the population that was

sampled, method of interview, sample size, details of the questions addressed and the percentages upon which conclusions are based. Then only criticism and skepticism with regard to the accuracy of survey results can be addressed. But in a democratic setup no group can be so authoritative to curb this kind of public information, opinion and freedom of speech and expression.