## The mandate, the mirror

A parliamentary standing committee has initiated discussion on India's system of elections. The system, known as first-past-the-post, characterised by a plurality of votes as the basis for winning an election at the constituency level, is often alleged to be unfair on two grounds. One, it allows a disproportionate relation between the votes a party polls and the seats it garners. This disproportion is two-fold: Some parties suffer due to an adverse ratio between votes and seats while some benefit from it and win too many seats. Two, the winning candidate does not necessarily have a real (that is, absolute) majority in the constituency.

The first allegation is often the more prominent one in criticisms of the system by those at the losing end of the elections. In the last parliamentary elections, for instance, the BJP polled under one-third votes and managed to win more than 50 per cent of the seats. In contrast, the Congress polled under one-fifth votes but it could win just 8 per cent seats. On the face of it, this does seem incongruous. During the period of Congress dominance, it reaped the advantage of this disjunction and at that point of time, the "systemic" or "in-built" unfairness jarred its opposition. The question is: How unfair and unrepresentative is this situation? Was the Congress getting "undue" advantage from the system in the pre-1989 period and similarly, did the BJP got an undue advantage in 2014?

Before we answer this question, let us look at two factors. One is the Congress's share of votes and seats during the post-1989 period (until it collapsed in 2014). During this period, the Congress rarely got a hugely disproportionate share of seats; if anything, its share of seats often remained almost proportionate or below its vote share (see Table one). The other factor to be noted, similarly, is that during this same period, the BJP has always benefited from the multiplier effect - winning more seats than its vote share (see Table two). Even when it lost elections, its vote-seat share was favourable (2004) and when it reached the low point (19 per cent), it still managed to win a proportionate number of seats.
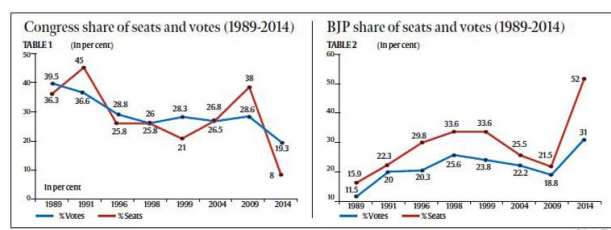
Figures from tables 1 and 2 should alert us to whether the system is unfair or whether it actually

reflects the ground reality fairly accurately - a bit more starkly perhaps. The period of 1989-2014 has been uniformly accepted as the period of the decline of the Congress and that only reflects its inability to win a proportionate number of seats despite collecting votes in a diffuse manner. On the other hand, this is also the period of ascendancy for the BJP and that accurately reflects in the numbers, suggesting that the party was more focused in polling votes where they would lead it to electoral victories; it was more careful in selecting which constituencies to contest and which to leave to its allies, and so on. In other words, the system that is sometimes erroneously seen as unfair might actually be articulating the reality a bit more sharply, but nevertheless, correctly. Just as in the post-1989 period it produced slightly more favourable victories for the BJP which was in any case gaining in strength, spread and cross-section acceptability, this system reflected the dominance of the Congress party correctly in the pre-1989 period when the Congress got seats in greater proportion than its vote share.

The deeper objection, of course, would be that at the constituency level, a mere plurality of votes is not reflective of the actual majority behind the winning candidate. Here, too, we need to carefully understand what we have accepted and what the alternatives could be. The logic behind the present system of plurality is that it is adequate if a candidate is "more" popular than any other contestant. To expect a candidate always to have clear or absolute majority would be unrealistic and unnecessary as a democratic precondition. The idea of democracy need not press for impossible structural expectations in order to be democratic. Structurally, this unrealistic expectation is then satisfied by forcing out smaller players by encouraging a bipolar contest.

Alternatively, the expectation that the winning candidate must have absolute majority is satisfied by putting the onus on voters to adopt a cumbersome and unrealistic responsibility of enumerating preferences for all candidates. This second route, known as preferential ballot system, besides being cumbersome, expects that the voter must have someone else to prefer apart from the first one chosen by her or him.

One important alternative to avoiding the vote-seat disjunction (without going into the unnecessary complications of a preferential ballot) is to adopt the "list" system, wherein parties are allotted seats in proportion to the votes they poll. Small parties and new entrants often find it hard to register victories at the constituency level. This happens either because they have diffuse (issue support) not concentrated at the constituency level and/or they have very narrow (community-based) support. In either case, they poll votes but can't translate those votes into seats. For such parties, the list system would be an attractive proposition. (If we are serious about improving representation, it might not be a bad idea to have additional seats in the Lok Sabha for smaller parties that poll significant votes but fail to get any seats.)

Supporters of the list system also argue that it would genuinely encourage a multi-party system whereas the plurality system is often supposed to encourage two-party system. India's plurality electoral system has so far not yielded to the structural compulsion of a two-party system. In fact, India has evolved a robust multi-party system in the face of one party dominance. Since the 1990s, more than 30 parties have always been present in the Lok Sabha and all governments have been coalition governments. Moreover, many parties opposed to the central government have always been (since 1967) in power at the state level. So, it would be tempting to say that India has achieved a multi-party competition without structural prerequisites like the list system or preferential ballot system.

We must also keep in mind the distance between the list system and our present system. Our present system is based on the idea of constituency-level representation. The list system would nullify that or, at best, craft huge (often state-wide) multi-member constituencies and even then, the relation between the voter (the constituency) and the candidate (representative) would be snapped. Our present constituencies are already huge, making the relation between candidate

and voter too tenuous. Nonetheless, there is a theoretical relationship between the two. With the list system, that relationship would disappear and the idea of representation would become faceless. Moreover, the grip of the party over legislators would possibly become vicious because the candidature of a particular person would be less important than the party leader and the party brand name.

It is hoped that these considerations weigh in the debate over the election system more than the mere attraction of proportionality.