

## The Shift to Proportional Representation: Is it Time for India?

SATISH MISRA

**ABSTRACT** Democracies constantly evolve to meet the demands of changing times and the requirements of their citizens. This continuous unfolding includes reforms in the electoral system, such as in India. Debate and discussion over the issue of First-Past-The-Post (FPTP) versus Proportional Representation (PR) electoral systems have been ongoing for decades. The issue regained momentum after the Bharatiya Janata Party (BJP)-led National Democratic Alliance (NDA) won the 2014 general election with a clear majority. This brief seeks to capture the debate and discuss the benefits of the two systems and their suitability to India, as well as their limitations and challenges.

### INTRODUCTION

There is a growing consensus among a broad cross-section of citizens and political parties in India that the current First-Past-The-Post (FPTP) electoral system must be replaced. A Proportional Representation (PR) electoral system is one viable alternative.

In the FPTP system, a candidate is elected to a state assembly or to national parliament

—in an election overseen by a competent authority—if that person receives even one popular vote more than the runner-up. Often, however, it could happen that this winning candidate does not obtain more than 50 percent of the polled votes. For example, say there are 100 voters in a constituency. Candidate A receives 30 votes, candidate B gets 29 votes, and the remaining 41 votes are

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split among the other three candidates; not one of the candidates receives more than 30 votes. In an FPTP system, candidate A wins with 30 votes and represents the constituency in the legislature (e.g. Vidhan/Lok Sabha). This creates an anomaly because the interests of the majority of the electorate do not find expression and representation in the elected body.

An elected representative, according to the Indian Constitution, is obligated to serve the people of the entire constituency and all constituents, not only those who exercised their franchise in favour of the MLA (Member of the Legislative Assembly) or the MP (Member of Parliament). Using the same example given earlier, in the FPTP system, the interests and views of the 70 voters who did not vote for the winning representative often go unattended, because the elected representative tends to pay more attention to those who voted for them. The representative is often compelled to indulge in vote-bank, competitive politics or sectoral politics to remain popular and ensure re-election in the next round. Even political parties have to resort to populism and vote-bank politics to remain politically relevant. Therefore, under FPTP, the 70 votes remain passive.

Variants of the FPTP system have been developed in other parts of the world to address such anomaly. For example, in Australia, the alternative (preferential) vote is used in the lower-house elections. Voters rank the candidates on the alternative-preference ballot. If a majority is not achieved by first-preference votes, the weakest candidate is eliminated and his/her votes are redistributed to other candidates according to second-

preference votes on the ballot. This redistributive process is repeated until one candidate has collected a majority of the votes.<sup>1</sup>

In France, a double-ballot system is employed for National Assembly elections. If no candidate secures a majority in the first round, another round is held. In the second round, only the candidates securing at least one-eighth of the total votes in the first round may compete, and the candidate securing plurality of the popular vote in the second round is declared the winner. Some candidates eligible for the second round withdraw their bid and endorse one of the leading candidates.<sup>2</sup>

## **WEIGHING THE FPTP vs. PR SYSTEMS**

The majority and the plurality formulas do not always distribute legislative seats in proportion to the share of the popular votes won by the competing parties. Both formulas tend to reward the strongest party disproportionately and, as a corollary, handicap weaker parties, though these parties may escape the inequities of the system if their support is regionally concentrated. The plurality formula usually distorts the distribution of seats more than the majority system.<sup>3</sup>

The PR electoral system is more broad-based. It has elements of FPTP, a mechanism that reflects diversity, and a much bigger spectrum of socio-political and socio-economic views. It ensures representation of the whole constituency, society or country. The PR system requires the distribution of seats to be proportional to the distribution of

the popular vote among competing political parties. It seeks to overcome the disproportionalities that result from majority and plurality formulas, and to create a representative body that reflects the distribution of opinion within the electorate. Because of the use of multi-member constituencies in PR, parties with neither a majority nor a plurality of the popular vote can still win legislative representation. Thus, the number of parties represented in the legislature is often large. Israel's Knesset is an example where there are usually more than 10 parties contesting seats.<sup>4</sup>

Under the PR system, a voter exercises two votes. On polling day, a registered voter receives two ballot papers—one for the candidate and the other for a party of his or her choice. Say there are 100 voters in a constituency of a Vidhan/Lok Sabha. A registered voter, on polling day, votes for a candidate on a ballot paper that has names of all the candidates along with the political party and its symbol. The voter then marks the choice of the party on a separate ballot. Similar to the FPTP system, a candidate can win by securing 30 votes. The remaining 70 votes are divided between different political parties according to the percentage of votes they received nationally, state-wise, or in designated number of constituencies.

To reduce the multiplicity of political parties, PR systems across the world have put restrictions on the number of parties that can be represented in the state or national legislature. A political party must secure a minimum percentage of popular votes to qualify for the remaining votes. This threshold varies across countries: set at four percent in

Sweden, five percent in Germany, and 10 percent in Turkey.<sup>5</sup> In Germany, "A party would participate in a proportional distribution of seats only if it gained at least 5 per cent of votes nationally or three district mandates."<sup>6</sup>

If a particular party crosses the five-percent threshold, the number of seats it is entitled to in the legislature is calculated based on the population of a state. States with lower population will have lesser number of representatives to the state or national legislature. In FRG, 50 percent of the total seats in parliament or in state legislature are elected directly by the FPTP system and the rest are decided based on the PR system. Each political party has a list of candidates to represent the party in the legislature. Candidates starting from the top are selected in line with the percentage of votes polled by a party. Candidates without party affiliation are directly elected and do not enjoy the benefits of the PR system.

The PR system uses two broad formulas—namely, single transferable vote (STV) and party-list proportional representation (PPR). The STV formula, or the Hare system, developed in the 19th century in Denmark and Britain, employs a ballot that allows the voter to rank candidates in order of preference. Any candidate receiving the necessary quota of first-preference votes—calculated as one plus the number of votes divided by the number of seats plus one—is awarded a seat. In the electoral calculations, votes received by a winning candidate beyond their quota are transferred to the other candidates according to the second preference marked on the ballot. Any candidate who then reaches the necessary

quota is awarded a seat. The process is repeated, with subsequent surpluses also being transferred, until all the remaining seats have been awarded. Five-member constituencies are considered optimal for the operation of the STV system.<sup>7</sup> The formula stresses upon candidates and not parties.<sup>8</sup>

However, since it involves the aggregation of ranked preferences, the STV formula requires complex electoral computations. The system's complexity and its limiting of the influence of political parties account for its infrequent use. It is used in Northern Ireland, Ireland and Malta and in the selection of the Australian and South African senates.

The basic difference between the STV formula and the list system is that, in the latter, voters choose among party-compiled lists of candidates rather than among individual candidates. Although voters may have limited choice among individual candidates, electoral computations are made based on party affiliations, and seats are awarded based on the party, not candidate totals. The seats that a party wins are allocated to its candidates in the order in which they appear on the party list. Several types of electoral formulas are used, but there are two main types: largest average and greatest remainder.<sup>9</sup>

In the largest-average formula, the available seats are awarded one at a time to the party with the largest average number of votes, determined by dividing the number of votes won by the party by the number of seats that the party has been awarded plus a certain integer, depending upon the method used. Each time a party wins a seat, the divisor for

that party increases by the same integer, which thus reduces its chances of winning the next seat.<sup>10</sup>

However, under all methods, the first seat is awarded to the party with the largest absolute number of votes: before any seats are allocated, the average vote total as determined by the formula will be largest for this party. Under the d'Hondt method, named after its Belgian inventor, Victor d'Hondt, the average is determined by dividing the number of votes by the number of seats plus one. Thus, after the first seat is awarded, the number of votes won by that party is divided by two (equal to the initial divisor plus one). Under the so-called Sainte-Lague method, developed by Andre Sainte-Lague of France, only odd numbers are used. After a party has won its first seat, its vote total is divided by three; after it wins subsequent seats, the divisor is increased by two. The d'Hondt formula is used in Austria, Belgium, Finland and the Netherlands; the Saint-Lague method is used in Denmark, Norway and Sweden.<sup>11</sup>

The d'Hondt formula tends to over-reward large parties and reduce the ability of smaller parties to gain legislative representation. In contrast, the Saint-Lague method has benefitted middle-size parties at the expense of both large and small parties. Proposals have been made to divide lists by fractions (e.g. 1.4, 2.5), instead of integers, to get the most proportional result possible.<sup>12</sup>

The greatest-remainder method first establishes the quota necessary for a party to receive representation. Formulas differ, but they are mere variations of dividing the total vote in the district or the constituency by the

number of seats. The total popular votes won by each party is divided by the quota, and a seat is awarded as many times as the party total contains the full quota. If all the seats are awarded in this manner, the election is complete. However, such an outcome is unlikely. Seats that are not won by full quotas are awarded to the parties with the largest remainder of votes after the quota has been subtracted from each party's total for each seat it was awarded. Seats are distributed sequentially to the parties with the largest remainder, until all the district's allocated seats have been awarded.<sup>13</sup>

Minor parties fare better under the largest-average formula. The greatest-remainder formula is used in Israel and Luxembourg and for some seats in Danish *Folketing*. Before 1994, Italy used a special variant of the greatest-remainder formula, called the Imperiali formula, whereby the electoral quota was established by dividing the total popular vote by the number of seats plus two. This modification increased the legislative representation of small parties but led to a greater distortion of the proportional ideal. For example, in some countries, hybrid systems have been evolved in which the majoritarian and proportional systems combine into "mixed-member proportional" or "additional-members" systems.<sup>14</sup>

Although there are many variants, all mixed-member proportional systems elect some representatives by PR and the rest by a non-proportional formula. The classic example of the hybrid system is the German *Bundestag*, which combines the personal link between representatives and voters with proportionality. The German Constitution

supports the election of half the country's parliamentarians by PR and half by simple plurality voting in single-member constituencies. Different formulas are used to determine the number of seats that a political party can have. These formulas have been decided based on the specifics, historical experience and needs of the country and its people.

India has been following the FPTP electoral system for electing representatives to state legislatures (Vidhan Sabha) and the people's house (Lok Sabha) of the central parliament, which allows a candidate to win an election by getting less than 50 percent of the total polled votes. Political parties that got less than 50 percent of the total votes polled have won most elections to the Vidhan Sabha as well as to the Lok Sabha, ever since Independence in 1947 and the first general election in 1952.

In the elections held in Uttar Pradesh in February–March 2017, the winning BJP secured 312 seats in a 403-member legislative assembly by polling 39.67 percent popular votes. The BJP allies—Apna Dal (AD) and Suheldev Bharatiya Samaj Party (SBSP)—won nine and four seats, respectively, by polling one percent and 0.7 percent popular votes.<sup>15</sup> The Samajwadi Party (SP) came to power in 2012 by winning 224 seats with only 29.13 percent of popular votes. It lost in 2017, polling 21.82 percent votes and securing 47 seats.<sup>16</sup> The Bahujan Samaj Party (BSP), in power in the state from 2007 to 2012, won 19 seats polling 22.23 percent votes. It had won 80 seats in 2012 and had polled 25.19 percent votes.<sup>17</sup>

To compare, in the 2012 assembly elections, the SP had won 224 seats by

registering 29.13 percent of the polled votes; the BSP had won 80 seats despite having a vote share of 25.91 percent; the BJP had 47 seats with 15 percent of vote share; and the Congress had 28 seats with 11.65 percent.<sup>18</sup>

Earlier, the BJP-led NDA won an overwhelming majority in the 2014 Lok Sabha elections, winning 334 out of 543 seats. The BJP alone won 282 seats, securing 52 percent of the Lok Sabha seats by polling 31 percent of votes in the general election.

The discrepancies are readily noticeable in the top two national parties. The BJP with 31 percent of vote share has secured 52 percent of seats (114 seats more than it would under the PR system). The Congress party, however, with 19 percent of vote share got only eight percent of seats (61 seats less than it would under the PR system).<sup>19</sup>

Former Chief Election Commissioner S.Y. Quraishi has observed, “In the 2014 Lok Sabha elections, despite the ‘Modi wave’, only 37 percent of the elected candidates, or 201 MPs, obtained a majority of the votes in the elections. In the 2009 elections, only 22 percent, or 120 MPs, had secured a majority. At the legislative assembly level, across all states, an average of 44.5 percent of the MLAs have secured more than 50 percent of the vote share in their constituencies.”<sup>20</sup>

Such electoral victories achieved through less than 50 percent of the popular mandate raise serious doubts about the representative character of the country’s democracy. “At the outset it should be clear that in a multi-party first past the post system discrepancies between vote shares and seat shares are the

norm, not the exception,” observes Neelanjan Sircar.<sup>21</sup>

The discrepancies and associated flaws of the FPTP must be reduced, if not eliminated, to make India’s democratic system more responsive and reflective of the will of people. There is a consensus among supporters of democracy that the ruling party and the opposition are equally significant for the sustainability and functioning of a democratic system. Because of the FPTP electoral system, the opposition has been eliminated or reduced to a minimum several times in the past, for example in 1984, 2014, and in the first three general elections held after Independence. The 1977 general election, held after the lifting of the Emergency, resulted in a sort of north–south divide. The Janata Party came to power by winning majority of its seats from the northern states, while the Congress retained its political base in the southern states by winning majority of its seats from Andhra Pradesh, Karnataka, Kerala and Tamil Nadu.<sup>22</sup>

Experts argue that strong opposition in the legislature, one attribute of the PR system, works against populism and the tendency among the political parties to pursue sectarian policies. For example, these analysts say, a strong opposition in 1975 could have prevented the imposition of Emergency, which resulted in the suspension of elections and the curbing of fundamental liberties. Experts also find that the PR system puts a restraint on impulsive tendencies in the political parties that seek to play on popular sentiments or promise fundamental changes in country’s political, economic or judicial system.

On the other hand, some experts assert that the PR system slows down decision-making, resulting in the weakening of the government itself. Another argument against the PR system is that it invariably results in coalition governments,<sup>23</sup> and that coalition governments can lead to indecision, compromise and even legislative paralysis.<sup>24</sup> It is possible that extreme pluralism can allow tiny minority parties to hold larger parties to ransom in coalition negotiations. The inclusiveness of the PR system is thus cited as a drawback.<sup>25</sup> Moreover, coalition governments are formed not by voters but by party leaders in their “smoke-filled rooms.” Governments are formed not through the electoral process but through a process that begins only when all the votes have been counted. This gives greater power to party leaders, who become skilled horse-traders of coalition policies, but less power to the voter, who has little say in the formation of coalition or the agreements that underpin them.<sup>26</sup>

The PR system may reduce accountability to voters because an ousted party of the government can still remain in office by finding new coalition partners after an election. Under a PR system, it may be difficult to remove a reasonably sized centre party from power. When governments are usually coalitions, some political parties are ever-present, despite weak electoral performances. The Free Democratic Party (FDP) in Germany was a member of the governing coalition for all but eight of the 50 years from 1949 to 1998, although it never gained more than 12 percent of the vote.<sup>27</sup>

Some experts feel that the PR system is a platform for extremist parties. PR systems are

often criticised for ceding space in the legislature to extremist parties of the left or the right. The collapse of the Weimar Republic in Germany was in part due to the way its PR electoral system gave a foothold to extremist groups.<sup>28</sup>

Yet another flaw in this system is that the parties decide who will represent them in parliament. There may be a difference between the party hierarchy deciding on the top places on the party’s list of candidates and the voters’ preferences. In some countries, additional rules have been framed to ensure that voters have some influence over which candidates represent them.<sup>29</sup>

Given such complexities of the PR system, difficulties arise at the initial stage of the implementation or during a change in the electoral system. It will require sustained efforts on the part of the poll workers and party representatives to educate the voters.<sup>30</sup>

## THE NEED FOR CHANGE

Doubts about the representativeness of the country’s polity increased after the victory of the BJP-led NDA coalition in the 2014 general elections, as ideological battle lines between the ruling dominant party and the opposition became more pronounced. Earlier, when the Congress won a huge majority in the general election of 1984, various analysts had argued in favour of the PR system.

Since it came to power at the centre, the BJP-led government has been accused of being aggressive and confrontational in its overall approach towards not only its political opponents but also institutions such as the judiciary, non-governmental organisations

and the media. Moreover, the BJP, under the leadership of Prime Minister Narendra Modi, has not tired in pronouncing that it will give the people of India a “Congress-free” polity. During his campaign for the 2014 general elections, Modi spoke of delivering a “Congress Mukt Bharat” (Congress-free India). He reiterated this promise after assuming power in May 2014.<sup>31</sup>

### **Conflicts between Executive & other institutions**

Ruling parties often try to change the basic character of the Constitution in the name of governance or the interest of people. Long-settled issues like that of “secularism” and “idea of India” are being re-opened at different forums by leaders and representatives of the ruling political party and its ideological family. A case in point are the ties between the judiciary and executive, which have come under strain. The Modi government made a determined attempt to reform the latter by enacting a law on the appointment of judges (National Judicial Appointments Commission Act, 2014) to the Supreme Court and high courts.<sup>32</sup> A bench of the Supreme Court struck down the Act on 16 October 2015, pronouncing it “unconstitutional.”<sup>33</sup>

Relations are strained between the media and the BJP-led governments, both in states and the centre. The BJP governments and their leaders have attempted to put overt or covert restrictions on the access of information and curb freedom of the press.<sup>34</sup> The BJP, under the joint leadership of Prime Minister Narendra Modi and party chief Amit Shah, has publicly displayed its anti-Muslim biases. Religious intolerance has been on the rise for over two

decades, particularly after the launch of the Ramjanmbhoomi temple movement in the ‘90s. Consequently, there is increased tension between the majority Hindu community and the country’s biggest minority, the Muslims.<sup>35</sup>

The 2014 general elections have resulted in one of the lowest Muslim representation in the popularly elected Lok Sabha. Only 23 Muslim MPs could be elected to the 16th Lok Sabha.<sup>36</sup> “The present trust deficit between the Hindu-majority party governments and the 160 million Muslim minority community is worrisome. If Muslims are not made to participate in the democratic process, a section among the community may take to undemocratic methods to resolve their problems,” writes Professor C.P. Bhambhri.<sup>37</sup> Before relinquishing office, former Vice President Hamid Ansari expressed concern over “enhanced apprehension of insecurity amongst segments of our citizen body, particularly Dalits, Muslims and Christians.” Underlining the values of pluralism and secularism enshrined in the Constitution, the former vice president said that cultural nationalism is an “illiberal form of nationalism,” which “promotes intolerance and arrogant patriotism.”<sup>38</sup>

Former President Pranab Mukherjee, while in office, expressed concern over rising intolerance in the country. Referring to an incident of mob lynching in 2015 in Uttar Pradesh, the president made a strong appeal for maintaining the civilisational values of diversity, tolerance and plurality. “Indian civilisation has survived for 5000 years because of its tolerance. It has always accepted dissent and differences,” Mukherjee said.<sup>39</sup>

During its almost four years of rule at the centre, the BJP-led NDA government has shown little regard for the opposition. Many crucial decisions have been taken with little or no consultation with the opposition party leaders. Even the previous Congress government's treatment of the opposition was not particularly commendable. As it stands, ruling parties have a tendency to ignore the opposition or refuse to give due accord to political adversaries.

On technical grounds, the BJP-led government has refused to grant the status of "Leader of the Opposition" to the Congress.<sup>40</sup> The Modi government, by labelling controversial bills as "finance bills," has also tried to undermine the role of the Rajya Sabha, where every bill barring a finance bill must be voted and passed.<sup>41</sup>

### **Push for PR System Gains Traction**

There have been many debates in the past over the need to change the electoral system to suit the ground realities and make the polity more representative. However, the issue gathered momentum only after the 2014 Lok Sabha and 2017 assembly elections.

A parliamentary standing committee on Personnel, Public Grievances and Law and Justice from the Rajya Sabha has taken up the issue of electoral reforms, focusing on the PR vs FPTP debate.<sup>42</sup> A five-page questionnaire on all aspects of elections including state funding, paid news, internal democracy in political parties, and the tedious process of filing nomination papers was sent by the committee to all the political parties represented in parliament.

On 22 March 2017, the Rajya Sabha discussed the issue of electoral reforms, including the matter of paid news and the FPTP. The former Election Commissioner remarked that the long-prevalent FPTP system is one where "winner takes all." Representatives of different political parties expressed concern that the present system can lead to majoritarianism. The members wanted this system to be replaced by the PR system, which can ensure that every section of the citizenry gets due representation. The system would also bring down the cost of holding elections and reduce the divisive nature of electoral campaigns.<sup>43</sup>

India is a diverse country and its cultural and religious makeup is anything but homogenous. Coalition politics has dominated the country's political culture for over two decades. However, electoral victories through FPTP are becoming less convincing in the background of increasing literacy and rising popular awareness. One of the strong arguments against the FPTP system is that a slight shift in vote percentage can result in a landslide change in seat share.<sup>44</sup> The FPTP "rewards parties who target and treat preferentially specific segments of the electorate, or 'vote banks', rather than the majority of electors... The system thus rewards divisive electoral strategies and encourages parties to field tainted candidates."<sup>45</sup>

Currently, under the FPTP, the candidate who receives the most votes in a constituency wins the seat in the Lok Sabha or in states assemblies. This means that the number of seats each political party wins does not reflect the vote share nationally or in provinces. Analysis of the poll results and subsequent

studies have shown that “states in India with a large number of effective parties tend to see selective and no universal delivery of public services, as the ruling party tends to service only select social base.”<sup>46</sup>

The country must think about an alternate system to replace FPTP, because currently, the electoral system is itself the root cause of many problems of governance. Money and muscle power has increasing influence over the outcome of electoral battles. It is, to a large degree, the negation of basic tenets of democracy. Candidates who are poor or from the marginalised sections of society are at great disadvantage in an electoral system that favours the well-off. “Naturally the parties that are on the wrong side of the corporates, and stand for the interests of the working class, are at a disadvantage in this uneven contest. Money power tilted the balance, setting aside all the semblance of fairness,” says R. Arun Kumar.<sup>47</sup>

Arguing for the change from FPTP to PR, founder of campaign for electoral reforms in India (CERI) M.C. Raj called the present FPTP system “engineered towards exclusion of the disadvantaged sections of society, especially the downtrodden, women and minorities.”<sup>48</sup>

“The present system was designed for two-party democracies. However, India is a multi-lingual and multi-religious society and a multi-party democracy. We have 1600 political parties. This throws up anomalies,” says Raj. Because the present system encourages corruption, use of muscle power, and communalism, Raj has argued in favour of PR saying, “In proportionate representation electoral system, any political party can gain seats only in proportion to the percentage of votes that it gains. There is no difference

between the percentage of votes and the percentage of seats. Therefore, only parties with more percentage of voter support can attain power. In proportionate representation system, majority means more than 50% of votes; but the other votes are not wasted. These are given to other candidates in order to provide representation to all voters in state assemblies or Parliament.”<sup>49</sup>

The PR system, according to author Zama Shaikh, “aims at removing the defects of territorial representation... Under this system, all sections of the people get representation in proportion to their number. Even the smallest section of population gets its due share of representation in the legislature.”<sup>50</sup>

H.S.K. Nathan, Assistant Professor at National Institute of Advanced Studies, says, “In the PR system there is a close match between the vote share and seats share. With the skewed translation of votes to seats, the FPTP system betrays the very essence of democracy, which is based on the principle of equality and justice edified in the motto ‘One person one vote. In India we have been experiencing such political injustices in all Lok Sabha and Vidhan Sabha (Legislative Assembly) elections.”<sup>51</sup>

According to former CEC Quraishi, the PR system allows every party to get a share of seats proportional to the share of votes it secures. Similarly, Srinivasan Ramani says that the FPTP system has run its course in India and that “it is time that the country adopted PR system that would allow for representation of minorities and smaller parties in the legislatures.”

Some members of the constituent assembly had argued in favour of the PR

system, but it did not find majority support because of low literacy, poor economy and challenging times.<sup>52</sup> Arguments for PR found resonance in the constituent assembly debates. Debating members stated that it is also “profoundly democratic for it increases the influence of thousands of those who have no voice in the government and it brings men more near an equality by so contriving that no vote shall be wasted and that every voter shall contribute to bring into Parliament a member of his own choice and opinion.”

Another member of the constituent assembly argued, “Unless there is opposition ... the danger of its [parliamentary democracy] turning itself into a fascist body is there. ... by this method [PR] and by his method alone, I submit there can be a strong opposition in a parliamentary democracy ... in the first place, on principle, there is nothing wrong in it and ... it is more scientific and democratic ... [and] that it will enable sections having different view from the majority party to be returned and thus form an opposition to the party in power. Otherwise, it will degenerate the party in power into a fascist body.”<sup>53</sup>

The constituent assembly rejected arguments in favour of the PR on grounds of stability of the government, illiteracy and fear of failure in the backdrop of India’s division into two nations. Much has changed in 67 years since the promulgation of the Constitution. In these years, some glaring deficiencies of the FPTP system have come to light, e.g. the mushrooming of political parties. The role of money in politics has grown. Experts argue that there should be state funding of elections because of the role of big money.

Today, India plays a major role in regional and international affairs, and aspires to be a permanent member of the United Nations Security Council. The Indian economy is one of the fastest growing in the world.

## CONCLUSION

Various scholars and analysts are of the view that it is imperative to have political stability, social harmony, communal amity and domestic peace to achieve the levels of economic growth that can address challenging issues such as social and economic inequality. Political stability is one such crucial factor for creating favourable conditions for constant economic growth so that problems of poverty, health and illiteracy can be resolved.

To ensure political stability and restrict attempts to change the fundamental, basic and core character of the country’s Constitution by a party coming to power with a minority vote, there must be adequate checks and balances that prevent such attempts of emotional and sectarian exploitation of the electorate. It is, therefore, time to consider a change in the country’s electoral system. Internationally, PR is the most common electoral system in practice. Though the FPTP system works for some countries, it cannot sufficiently reflect India’s diversity.

There are different forms of PR being followed and practised across the world. Countries have innovated and improved upon the system based on their respective needs and circumstances. This brief has consciously dwelled on the German PR system because it was implemented only after considerable debate. Germany fought the war because of the coming to power of the right-wing ultra-

nationalist Adolf Hitler. The PR system was introduced after World War II ended, with Germany's defeat at the hands of the Allied powers.

The German PR system is “often seen as the archetype of a mixed member PR system, which has become an influential model in the design of post-communist and post-authoritarian electoral systems as well as the reform of existing electoral systems in mature liberal democracies.”<sup>54</sup> Germany's adoption of the system was “influenced by the desire for political stability and consensus after a history of regime instability and socio-political division between 1918 and 1945, as well as the need to generate democratic legitimacy for the fledgling Federal Republic in 1949.”<sup>55</sup>

The present German PR system has developed over the years, learning from the mistakes of the past. “Germany's mixed-member system was not developed in a single stroke as an optimal solution to the problem of the previous systems.”<sup>56</sup> Established in 1949, the Federal Republic of Germany “faced the problem of constructing a new democracy on very unsure foundations. For Germany's first experience in democracy—the Weimar Republic, which lasted from 1919 to 1933—failed to take root among the German people and was overthrown by Hitler.”<sup>57</sup> Weimar Republic had a PR electoral system as well, but there were many flaws and shortcomings.

“The founders of the Federal Republic decided not to abandon proportional representation, despite the unfortunate experience of the Weimar Republic. Instead, they tried to devise a proportional system, which could mitigate the evils of the system in Germany in the 1920s, maintain a personal link between the MP and his constituents, yield stable government, and yet provide a legislature in which the allocation of seats accurately reflected the number of votes cast. To achieve these diverse aims, the Federal Republic adopted a system which contains elements of the British electoral system but modified so as to secure proportionality.”<sup>58</sup>

“The creation of Germany's mixed-member system was the result of historical learning and elite bargaining between the relevant political parties, the regional minister presidents, and the Allied occupational authorities. It reflected the actors' political self-interest as well as a concern for the stability and legitimacy of the Federal Republic's emerging political system.”<sup>59</sup>

In India, a switch to the PR system will pave the way for undertaking wider electoral reforms such as funding of elections by the state and the holding of simultaneous state assembly and central parliament elections. Once the political parties reach a consensus, the incumbent government can initiate a debate in the two houses of parliament to pave the way for introducing the PR system by amending the Representation of the People Act (RPA), 1951. [ORF](#)

#### ABOUT THE AUTHOR

**Satish Misra** is Senior Fellow at Observer Research Foundation. He was a journalist for over four decades before joining ORF.

## ENDNOTES

1. "Election," Encyclopaedia Britannica, Encyclopaedia Britannica Online, <https://www.britannica.com/topic/election-political-science/Plurality-and-majority-systems#ref416865>.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid.
6. Thomas Saalfeld, "Germany: Stability and Strategy in a Mixed-Member Proportional System," in *The Politics of Electoral Systems*, ed. Michael Gallagher and Paul Mitchell (Oxford: Oxford University Press, 2005), 209–29.
7. Election," op. cit.
8. Ibid.
9. Ibid.
10. Ibid.
11. Ibid.
12. Ibid.
13. Ibid.
14. Ibid.
15. Election Commission of India, Uttar Pradesh General Legislative Election 2017, [http://eci.nic.in/eci\\_main1/statistical\\_reportup.aspx](http://eci.nic.in/eci_main1/statistical_reportup.aspx).
16. Ibid.
17. Ibid.
18. Election Commission of India, Statistical Report on General Election, 2012 to The Legislative Assembly of Uttar Pradesh, [http://eci.nic.in/eci\\_main/StatisticalReports/AE2012/Stats\\_Report\\_UP2012.pdf](http://eci.nic.in/eci_main/StatisticalReports/AE2012/Stats_Report_UP2012.pdf).
19. <https://swarajyamag.com/books/perhaps-a-shift-away-from-first-past-the-post>.
20. <http://www.caravanmagazine.in/vantage/why-india-needs-to-change-its-electoral-voting-system>.
21. Neelanjan Sircar, *The Numbers Game: An Analysis of the 2014 General Election*, Centre for the Advanced Study of India, 16 June 2014, <https://casi.sas.upenn.edu/iit/nsircar>.

22. Election Commission of India, Statistical Report on General Elections, 1977 to the Sixth Lok Sabha, [http://eci.nic.in/eci\\_main/StatisticalReports/LS\\_1977/Vol\\_I\\_LS\\_77.pdf](http://eci.nic.in/eci_main/StatisticalReports/LS_1977/Vol_I_LS_77.pdf).
23. Brian O’Neal, *Electoral Systems*, May 1993, Library of Parliament, Canada, <https://lop.parl.ca/content/lop/researchpublications/bp334-e.htm>.
24. <https://www.uk-engage.org/2013/08/what-are-the-advantages-and-disadvantages-of-using-a-proportional-representation-pr-electoral-system/>.
25. <http://aceproject.org/ace-en/topics/es/esd/esd02/esd02b>.
26. Vernon Bogdanor, “What is Proportional Representation? A guide to Issues,” Oxford, Martin Robertson, 1984, 46–141.
27. Ibid.
28. Ibid.
29. <http://www.democracy-building.info/voting-systems.html>.
30. <http://aceproject.org/ace-en/topics/es/esd/esd02/esd02b>.
31. “Loaded nearly 100%,” *My Voice*, 6 February 2017, <http://myvoice.opindia.com/2017/02/loaded-nearly-100-a-congress-mukt-bharat/>.
32. *The Gazette of India*, 31 December 2014, [http://www.indiacode.nic.in/acts2014/40\\_of\\_2014.pdf](http://www.indiacode.nic.in/acts2014/40_of_2014.pdf).
33. *The Hindu*, 17 October 2015, <http://www.thehindubusinessline.com/news/njac-act-unconstitutional-collegium-system-to-continue-apex-court/article7769481.ece>.
34. *The Tribune*, 14 September 2015, <http://www.tribuneindia.com/news/comment/freedom-of-expression-under-assault/132654.html>.
35. *Kennedy School Review*, 27 July 2016, <http://harvardkennedyschoolreview.com/the-rising-tide-of-intolerance-in-narendra-modis-india/>.
36. NDTV, 1 June 2016, <https://www.ndtv.com/india-news/number-of-muslims-in-parliament-low-already-will-shrink-further-in-june-1414256>.
37. *The Tribune*, 23 August 2017, <http://www.tribuneindia.com/news/comment/a-plea-for-proportional-representation/455851.html>.
38. *The Indian Express*, 7 August 2017, <http://indianexpress.com/article/india/vice-president-hamid-ansari-warns-against-military-might-halo-insecurity-of-dalits-minorities-4785579/>.
39. *India*, 19 October 2015, <http://www.india.com/news/india/pranab-mukherjee-raises-concern-over-growing-intolerance-in-the-nation-644749/>.
40. *The Diplomat*, 21 August 2014, <https://thediplomat.com/2014/08/its-official-indias-congress-wont-lead-the-opposition/>.

41. *Kashmir Times*, 6 April 2017, <https://m.dailyhunt.in/news/india/english/kashmir+times-epaper-kashmirtimes/is+modi+government+making+rs+redundant-newsid-66043350>.
42. *The Wire*, 21 August 2017, <https://thewire.in/169456/first-past-the-post-electoral-reform/>.
43. *The Indian Express*, 31 March 2017, <http://indianexpress.com/article/opinion/columns/evm-manipulationvote-counting-election-commissionup-electionsmayawati-4593042/>.
44. *Swarajya*, 19 November 2015, <https://swarajyamag.com/books/perhaps-a-shift-away-from-first-past-the-post>.
45. *The Caravan*, 13 September 2017, <http://www.caravanmagazine.in/vantage/why-india-needs-to-change-its-electoral-voting-system>.
46. *Kafila*, 15 March 2012, <https://kafila.online/2012/03/15/a-flawed-democracy-the-case-for-proportional-representation-in-india-srinivasan-ramani/>.
47. *People's Democracy*, 12 November 2017, [http://peoplesdemocracy.in/2014/0525\\_pd/case-proportional-representation](http://peoplesdemocracy.in/2014/0525_pd/case-proportional-representation).
48. *The Times of India*, 10 December 2014, <https://timesofindia.indiatimes.com/city/goa/India-needs-proportionate-representation-electoral-system/articleshow/45441102.cms>.
49. Ibid.
50. *The Companion*, 26 January 2017, <http://thecompanion.in/towards-making-democratic-system-proportional-representation/>.
51. *Swarajya*, 19 November 2015, <https://swarajyamag.com/books/perhaps-a-shift-away-from-first-past-the-post>.
52. *People's Democracy*, 12 November 2017, [http://peoplesdemocracy.in/2014/0525\\_pd/case-proportional-representation](http://peoplesdemocracy.in/2014/0525_pd/case-proportional-representation).
53. Ibid.
54. Thomas Saalfeld, op. cit.
55. Ibid.
56. Ibid.
57. Vernon Bogdanor, op. cit.
58. Ibid.
59. Thomas Saalfeld, op. cit.



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20, Rouse Avenue Institutional Area, New Delhi - 110 002, INDIA  
Ph. : +91-11-43520020, 30220020. Fax : +91-11-43520003, 23210773.  
E-mail: [contactus@orfonline.org](mailto:contactus@orfonline.org)  
Website: [www.orfonline.org](http://www.orfonline.org)