

Mixed Member Proportional System: An Alternative Electoral System to Indian Democracy

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Abstract

Elections are the very heart of democracy and the electoral system, the laws governing elections has a profound effect on the future political life of the country concerned. The electoral system determines the format according to which votes are cast in an election and the process by which seats are allocated on the basis of those votes. The allocation of seats determines who governs. An electoral system can be selected or rejected with a view to achieving or avoiding certain consequences. The Indian electoral system, the First-Past-The-Post (FPTP) is not free from criticisms. Many suggestions are recommended to improve Indian electoral system. This article proposes a Mixed Member Proportional (MMP) system as an alternate to Indian Plurality /Majority (FPTP) system. It also describes if implemented how MMP works and how it would be beneficial to Indian democracy.

KEYWORDS: electoral system, Proportional Representation, Plurality /Majority system, Mixed Member Proportional system, electoral reform.

INTRODUCTION

Most democratic governments are by representatives and in majority of countries by elected representatives. The representative process is intrinsically linked to elections and voting. Election is the method followed to choose our representatives and the electoral system is a set of rules that governs the conduct of elections (Wright 1992:191). It is the method of converting votes cast by the electors into seats in legislature. The rules governing the elections have a crucial role in deciding who is eligible to vote? Who is eligible to contest? How do the voters choose their representatives? How are the votes to be counted and representatives elected? These different rules of the game can make a difference to who the winner of the game will be. Some rules can favour bigger parties; some rules can help the smaller players. Some rules can favour the majority community, others can protect the minorities. Some rules help men; other rules can support women.

The electoral system introduced in India after Independence was mainly a Single –Member Plurality system (or First-Past-The-Post (FPTP)), but about a fifth of the constituencies were multi-member, generally with a magnitude of two (although occasionally three). Within these multi-member constituencies (MMCs) each voter had the same number of votes as there were seats to fill ($v = m$), but could not cast more than one vote for any candidate, a system known as the Block Vote, or Distributive Vote. The Block Vote is a non-proportional system of voting, despite the increase in constituency magnitude. These larger constituencies were designed to provide for representation of two groups, the Scheduled Castes (SCs) and Scheduled Tribes (STs), who were seen as suffering from socio-economic discrimination that inhibited their ability to gain representation through open elections. In the double-member constituencies one seat was

'reserved' for an SC or ST candidate, and one seat was left open to 'general' competition (McMillan 2001). There were also about 90 multimember constituencies – but these were abolished thereafter by the Two-Member Constituencies (Abolition) Act, 1961. The Act provided for the abolition of two-member parliamentary and assembly constituencies and for the creation of single-member constituencies in their place. The reasoning was that the constituencies were too large and SC/ST members felt that they would gain in importance in Single Member reserved constituencies. Since this change, the electoral system for Lok Sabha (lower house of the national parliament) has remained stable, with all constituencies being single member, and the winner decided on the basis of Plurality of votes. Besides Lok Sabha, elections to State Legislative Assemblies and Local Self governments are also conducted through the FPTP system.

The FPTP with single member constituency electoral system in India has a number of serious drawbacks. The major aim of an electoral system is to ensure proportional representation. Each party's percentage of the national vote should be equaled by its percentage of the parliamentary seats. But in India there is a little relation between the votes and seats won by the political parties. It results in the wastage of votes and only those who vote for the winning candidate get any representation. Everyone else who may make up even more than 50 percent of the electorate in a constituency gets no representation. It denies representation to large sections of the electorate, discriminate against minority groups and under privileged sections, and discourage voter turnout. It is discriminatory against women too.

By contrast, in Proportional Representation (PR) electoral system, a general election is principally a means of representing popular preferences. The election is an end in itself and not as in Plurality system, a means to the end forming a single party government. Election is meant to produce as close as possible a match between votes and seats to the parties. In Proportional Representation systems MPs are elected from multi-member constituencies. The basic principle of PR is that parliamentary seats are allocated according to the proportion of votes cast for each party. Proportional Representation systems focus on the inclusion of all voices, emphasizing the need for bargaining and compromise within parliaments, government and the policy making process (Norris 2004:50). It aims at giving representation to all sections of opinion, in proportion to the numerical strength of their votes. The system is based on the belief that no vote should be lost and that every minority and majority group should get due representation in the legislation.

Proposal for a Mixed Member Proportional System in India

To propose an electoral system which will resolve the problems of Indian electoral system pointed to the option of Mixed Member Proportional (MMP) System. By combines both the systems, Majoritarian and Proportional Representation, MMP will be more suitable to Indian situation.

Mixed electoral systems combine elements of a Plurality or majority system with Proportional Representation. Mixed-Member Proportional Representation goes by a variety of other names, including "the additional member system", "compensatory PR", the "two vote system," and "the German system". It is an attempt to combine a single-member district system with a proportional voting system. Half of the members of the legislature are elected in single-member district Plurality contests. The other half are elected by a party list vote and added on to the district members so that each party has its appropriate share of

seats in the legislature. Proponents claim that mixed-member proportional voting (MMP) is the best of both worlds: providing the geographical representation and close constituency ties of single-member Plurality voting along with the fairness and diversity of representation that comes with Proportional Representation voting. A mixed Member Proportional system was evolved in 1946 for the first post-Hitler election in West Germany, and is still used there. In 1993 New Zealand abandoned its traditional single-member Plurality system for MMP. Now it has been adopted in 31 countries. It is being actively considered in countries that discuss electoral reforms. In part this growing attention is a result of MMP's unique claim to be a "compromise" between the two main rival systems. Experience shows, it is possible to have some advantages of one electoral system without eliminating all the advantages of another.

MMP would both remedy to the disproportional effects of the current Indian system and preserve the constituency representation system to which the Indians are so attached. An additional advantage of this electoral system is that it could also take care of under-representation of women and other social groups in elected bodies. The MMP system allows a vote for a local representative and another vote for a political party. The local representative vote would normally be a "First-Past-The-Post" style election familiar to all Indians as that is the current system. The party vote is an additional vote that is used to make the legislative body more proportional.

Adopting the MMP would positively influence the participation of voters in the electoral process. The fact that more representatives are chosen in the election, more voters can get identified with the candidates of their choice. This would definitely attract the otherwise indifferent sections of the electorate towards the election process.

If Implemented, How the MMP Works

As a first step towards a more inclusive form of electoral process, the seats in Parliament and all state legislatures should be increased to 25%. For example in Lok Sabha seats can be increased to 678 (543+135). Half of the members could be elected on the basis of Proportional Representation, and half could be elected from each constituency through FPTP (339:339). Our country's population has increased manifold since the first general election. So it's high time to increase the number of representatives in Lok Sabha.

It means that 50 percent seats in Lok Sabha shall be filled with constituency MPs and 50 percent with MPs drawn from party lists. The former is elected on an FPTP basis, same as that using in India, and with equivalent disproportion in the pattern of results. The latter 50 percent are allocated 'correctively' so that FPTP distortions will iron out and the final composition of the Lok Sabha will be in proportion with how the electorate cast its votes for each party.

The Election Commission will ask each organised political parties to present its list of candidates selected through intra-party elections. The EC would then scrutinize and publish the list. All the political parties will be asked to declare their alliances before the elections and there will be no scope for post-electoral tie-ups. Bigger parties will be forced to negotiate with smaller parties, leading to more democratisation of the political process and pre-poll tie-ups, meaning there will be less scope for arm-twisting and horse-trading after the election

The lists prepared by the political parties would also have women candidates. The rule of "every second seat a woman" should follow to ensure women representation.

Voters would be able to vote for a party of their choice. Those who support the system argue that in the end, voters would be voting for the party’s ideology, manifesto and the candidate.

Voters would have two votes, both of which are on a single ballot paper. The first vote is for the district representative, as it is in the first-past-the-post system. One vote is the ‘constituency vote’. This part of the ballot paper will show the names of all the candidates contesting for election as the Member of Parliament to represent that constituency. Independent candidates can also contest in the election. The voter selects his or her favourite candidate to represent their district in the parliament.

The second vote is the ‘party vote’. This part of the ballot paper shows names of all the registered political parties that have nominated lists of candidates drawn up separately in each constituency. This vote will go to a political party instead of a single candidate. Somewhat perversely, it is the ‘party vote’, which is more important. The ‘party vote’ determines the final, proportional composition of the Lok Sabha. The first has an impact only in the constituency concerned. The second determines the percentage each political party is entitled to get in the Lok Sabha.

The ballot allows voters to split their vote amongst parties, perhaps voting for their local party ‘A’ candidate in the first vote, but casting their ballot for the party ‘B’ in the second vote.

Model of Mixed-Member Proportional Representation Ballot

| Sample Ballot | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Election to Lok Sabha | | | |
| District One | | | |
| You Have 2 Votes | | | |
| District Vote | | Party Vote | |
| This vote decides who will be elected to the parliament from this district. Votes by putting an ‘x’ in the box immediately before the candidate you choose Vote only for one candidate | | This vote decides the share of seats that each of the parties listed below will have in the parliament. Vote by putting an ‘x’ in the box immediately before the party you choose Vote only for one party | |
| Vote here ↓ | | Vote here ↓ | |
| <input type="checkbox"/> | Ahamad Patel Party “A” | <input type="checkbox"/> | Party ‘A’ |
| <input type="checkbox"/> | Devika Gouda Samajwati Party ‘D’ | <input type="checkbox"/> | Party ‘B’ |
| <input type="checkbox"/> | Chandra Prasad Party ‘E’ | <input type="checkbox"/> | Party ‘C’ |
| <input type="checkbox"/> | S K Gopika Party ‘C’ | <input type="checkbox"/> | Party ‘D’ |
| <input type="checkbox"/> | Karthka Mani Party ‘B’ | <input type="checkbox"/> | Party ‘E’ |
| <input type="checkbox"/> | John Henderson Independent | <input type="checkbox"/> | |

Source: Model prepared by the researcher

In order for a party to enter the Lok Sabha, it has to win at least 5 percent of the second votes cast state wide or wins at least one seat under the majority system. For the state Legislatures, revenue district could be taken as a unit and the hurdle could be set at 5% at the district level or one constituency seat. Votes for parties, which fail both two

hurdles, will be disregarded in calculating the composition of the Lok Sabha. If a party crossed the 5% vote hurdle but wins no constituency seats, all its MPs will be list MPs.

It should also be noted that the total number of constituency seats won by independent candidates and by candidates for parties that are not on the 'party vote' are deducted from the total number of seats before seats are allocated according to parties' shares of all the 'party votes'. So in a 100 member House, if five independents have won from various constituencies, 95 seats will be available for proportional allocation.

Allocation of Seats

The number of 'party votes' won by each registered party which has submitted a party list and crossed the threshold is used to decide how many seats overall each party will have in Parliament. These parties will receive enough list seats to add to their constituency seats to reach the total number of seats to which they are entitled. To determine the precise order in which all the seats in Parliament are allocated to the various parties, a number of statistical methods are in use. The simplest of them is one called St. Lague formula. According to this formula, the nation-wide 'party vote' of each of the parties which crossed the threshold is divided by successive odd numbers starting with one (i.e., the number of 'party votes' won by each party is divided by 1,3,5,7,9,11 etc.). The highest resulting numbers (which are called quotients) determine both the number of seats for each party and the order in which they are allocated. This process of division is continued till enough quotients to fill all the seats are found.

Table 1: Allocation of Seats in MMP

| Political parties | Number of District seats won | Percentage of National Party List Vote | Total Number of seats deserved by party | Number of seats added from party lists |
|-------------------|------------------------------|----------------------------------------|-----------------------------------------|----------------------------------------|
| Congress | 32 | 10% | 68 | 36 |
| Samajwadi | 118 | 40% | 271 | 153 |
| BJP | 50 | 12% | 81 | 31 |
| CPI | 20 | 6% | 41 | 21 |
| Janatha Dal | 119 | 32% | 217 | 98 |
| Total | 339 | 100% | 678 | 339 |

Source: Model prepared by the researcher

The number of quotients received by each party is the number of seats that party is entitled to have in the Parliament. The electoral officer will then deduct the number of constituency seats each party has won and allocate enough list seats to each party to bring the total number of seats up to the number to which it was entitled. The electoral officer will then examine the list of candidates submitted on its party list before the election, and delete the names of any candidate who had won a constituency seat. He will then allocate the party's list seats to the remaining list candidates in the order they appear on the party's list. Such candidates will be declared elected to the Parliament.

Sometimes, a party will receive more direct parliament seats through the first vote than they deserve according to the party vote. If a party wins more seats in the majority system (the first vote) than it is entitled to by the results of the Proportional Representation system (second vote), it can keep the additional seats, called "overhang seats". Other parties then also get more seats to make up for this, ultimately making the parliament larger than its base number of 678 seats.

Vacant seats attributed to a political party are filled by the “next-in-line” candidate of the same party even seats vacated by members elected through the majority system. This rule applies to all seats, including overhang seats and compensatory seats. Vacant seats held by independents are filled through a special election in that constituency.

How Government is Formed

The President invites any party that receives more than half the seats to form a government. If no party wins a majority, President will invite the leader of the coalition with the largest number of seats in the Lok Sabha to try. The largest party will lead a minority government, or a coalition of two or more parties would come together to form a government. The Prime Minister is generally the leader of the largest party in the coalition.

Advantages of MMP System

The MMP system is a constituency-based system, but with a proportional overlay, so that legislators have reasons to respond to their constituents but parties receive an overall number of seats that is more or less proportional to the votes they have won nationally. The system not only solves the problem of under representation of women but also other problems in Single member constituency system of India. It will help to achieve multiple goals:

Proportionality of Seats to Votes

An electoral system can be judged by their ability or inability to produce proportional results. A political party that gains 20 percent of the total vote should win 20 percent of the total seats, rather than a few or no seats. In the current electoral system the percentage of votes polled by a political party has little bearing on the number of seats it wins. There is no direct relation between a party’s vote-share and the number of seats it wins. Assemblies elected under FPTP do not reflect the spread or range of voter support across all parties, and significant third or even fourth parties are severely under-represented. This is a major challenge that our electoral system faces.

The disproportionality between the votes and seats of political parties would find a solution in MMP. Here political parties will receive enough list seats to add to their constituency seats to reach the total number of seats to which they are entitled. So proportion between votes and seats of political parties are guaranteed.

Accountability to Constituents

One criticism leveled against the PR system is that the adoption of PR list system weakens the link between the elected representative and his or her constituency. It can break accountability of the elected to the electorate as they will not be identified with a particular geographical area.

In the MMP system, half of representatives are elected in SMD and accountable to electorate in districts. Here elections to representative bodies assume some degree of representativeness-that is, accountability of legislators to those who elect them. It enables a good relation between members of the parliament and their constituencies. Politicians can spend more of their time on matters of broad general interest instead of having to pander to the narrow interests of their districts. MMP system enables better personalization of politics than classical PR system and, thus, more accountability of MP than PR system.

Representation for women and other social groups

In the proposed Women Reservation Bill states that reserved seats shall be allotted by rotation to different constituencies in the state or union territory. Rotation of reserved constituencies in every election may reduce the incentive for an MP to work for his constituency as he may be ineligible to seek re-election from that constituency.

The recommended system take care the problem under-representation of women without quota. The provision of one woman candidate should be placed for every two candidates (1:1) on the party list. It will raise the number of women in legislatures. Parties can nominate women from minority communities in areas where this will be an electoral advantage and it allow flexibility in the number of women and other groups in Parliament

Stability and efficiency of government

One limitation of a PR system is that it produces a less stable government. However, in the Proportional Representation system, political parties with nationwide presence would get more seats because of the percentage of votes polled in their favour, which will ensure stability.

The MMP brings stability to political system as it requires the naming of a successor Prime Minister while moving a no-confidence motion (constructive vote of no-confidence). The constructive vote of no confidence is an effective method to ensure stability. It will allow Lok Sabha to withdraw confidence from a head of government only if there is a positive majority for a prospective successor. The principle is intended to ensure that a replacement of head of government has enough parliamentary support to govern.

Another point to be noted is that a more stable government is not necessarily more efficient one. Efficiency can be measured according to economic and political criteria. The most objective economic criteria are economic growth, inflation, unemployment and distribution of income. Consequently, economic results show the efficiency of the government.

How is it possible that less stable governments are more efficient? One of the possible explanations is that MMP provides better control of government. If one party has an absolute majority in the parliament, it is much more difficult to control the government. Since party discipline is very strong in the parliamentary system, members of parliament rarely dismiss the government controlled by their own party. A modest level of instability can be an advantage because it stimulates Prime Minister to cooperate with the parliament.

More democratic

It would also bring the nation closer and might put an end to extreme regionalism and divisive politics. Moreover, as half of the contest will be directly between parties and not candidates, the influence of caste, religion, region and other parochial considerations can be reduced. Casteism and communalism are more rampant under the FPTP system as everybody is trying to secure vote banks. But under the MMP system where there will be pre-poll alliances, the space for communal and castes politics will be very less.

This system would increase the influence of thousands of those who would have no voice in the government and will ensure that no vote is wasted and every voter contributes to bringing into parliament a member of his/her own choice and

opinion. The mixed Proportional Representation system will make the largest democracy of the world also one of the greatest.

Sometimes, a party will receive more direct parliament seats through the first vote than they deserve according to the party vote. If a party wins more seats in the majority system (the first vote) than it is entitled to by the results of the Proportional Representation system (second vote), it can keep the additional seats, called “overhang seats”.

Below shows the three options used to manage overhangs

- Allow the overhang and size of legislature temporarily increases
- Allow the overhang and provide balance seats to other parties; size of legislature temporarily increases
- Allow the overhang but compensate by decreasing the number of quotients available for list seat allocation

The system may allow dozens of parties to have their representatives in the parliament and since such a situation may cause very instable government. It may cause growth of numerous political parties. However, the nation-wide 5% vote and one seat hurdle would check the very small party's to enter Lok Sabha.

The problem of governmental instability could be overcome by the following measures.

- The constructive vote of no confidence is an effective method to ensure stability. It allows Lok Sabha to withdraw confidence from a head of government only if there is a positive majority for a prospective successor. The principle is intended to ensure that the replaced head of government has enough parliamentary support to govern
- Provision that vote of no-confidence cannot be held at least a year after elections. Such a provision is logical because there is no reason to allow parliament to challenge voters' decision immediately after elections and elected officials should have time to show their qualities in office
- In addition, same sort of qualified majority (for example, majority of all the members of the parliament should vote against prime minister in order to remove him/her from office) may also increase stability
- In addition, stability can also be upheld by removing possibility that chief of executive may dissolve the parliament before the end of mandate (as it was the case in Israel)

The proposed system has a closed list and voters cannot decide about position of candidates on the list. No possibility for voters to influence either the selection or the rank order of candidates. Open list system may implement in future. Finally, the system would not allow a full proportionality. As a matter of fact no system enables full proportionality.

CONCLUSION

The defect of Indian Majoritarian system with single member district can be overcome by an electoral reform. More recently, countries seeking electoral reform have turned to mixed electoral systems. By combining the distinctive representational features of Plurality/majority and PR, MMP can achieve the ‘best of both worlds’-it can harness the benefits of minority representation indicative of its PR component, while maintaining levels of geographic representation and accountability inherent in Plurality/majority systems. Legislators elected in single-member districts tend to be more responsive to

local interests, while representatives from Proportional Representation (PR) lists respond to the broader interests of the women and other social groups. Due to its ability to balance between Majoritarian and PR elements, MMP can be an attractive option for India.

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