Democratic Revival – an Agenda for Action

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The purpose of a government is to make it easy for people to do good and difficult to do evil.

William Gladstone

Democracy – Myron Weiner's Four Conditions

- Competitive elections
- Political freedoms for all
- Peaceful transfer of power and no retribution
- Real power with elected governments

Distortions of state power

- Positive Power restricted
  Negative Power unchecked
- State organs are dysfunctional
- A system of alibis
  Victims of vicious cycle
- Change of players
  No change in the rules of the game
- Political process ought to be the solution
  But has become the problem itself

Indian democracy is a work in progress

Policymakers have responded to emerging challenges :

- 73rd, 74th Amendments – Local Governments(1993)
- Voter registration and electoral process reforms (past 15 years)
- Mandatory disclosure of candidates antecedents (2003)
- Political funding reforms (2003)
- Strengthening anti-defection law (2003)
- Limiting size of cabinet (2003)
- Rajya Sabha elections reforms (2003)

Contd…

Indian democracy is a work in progress

Policymakers have responded to emerging challenges :

- Right to Information (2005)
- Gram Nyayalayas Act (2009)
- 97th Amendment – Right to form Cooperatives (2012)

In the pipeline

- Lokpal Bill
- Service Guarantee Bill
- Judicial Standards & Accountability Bill

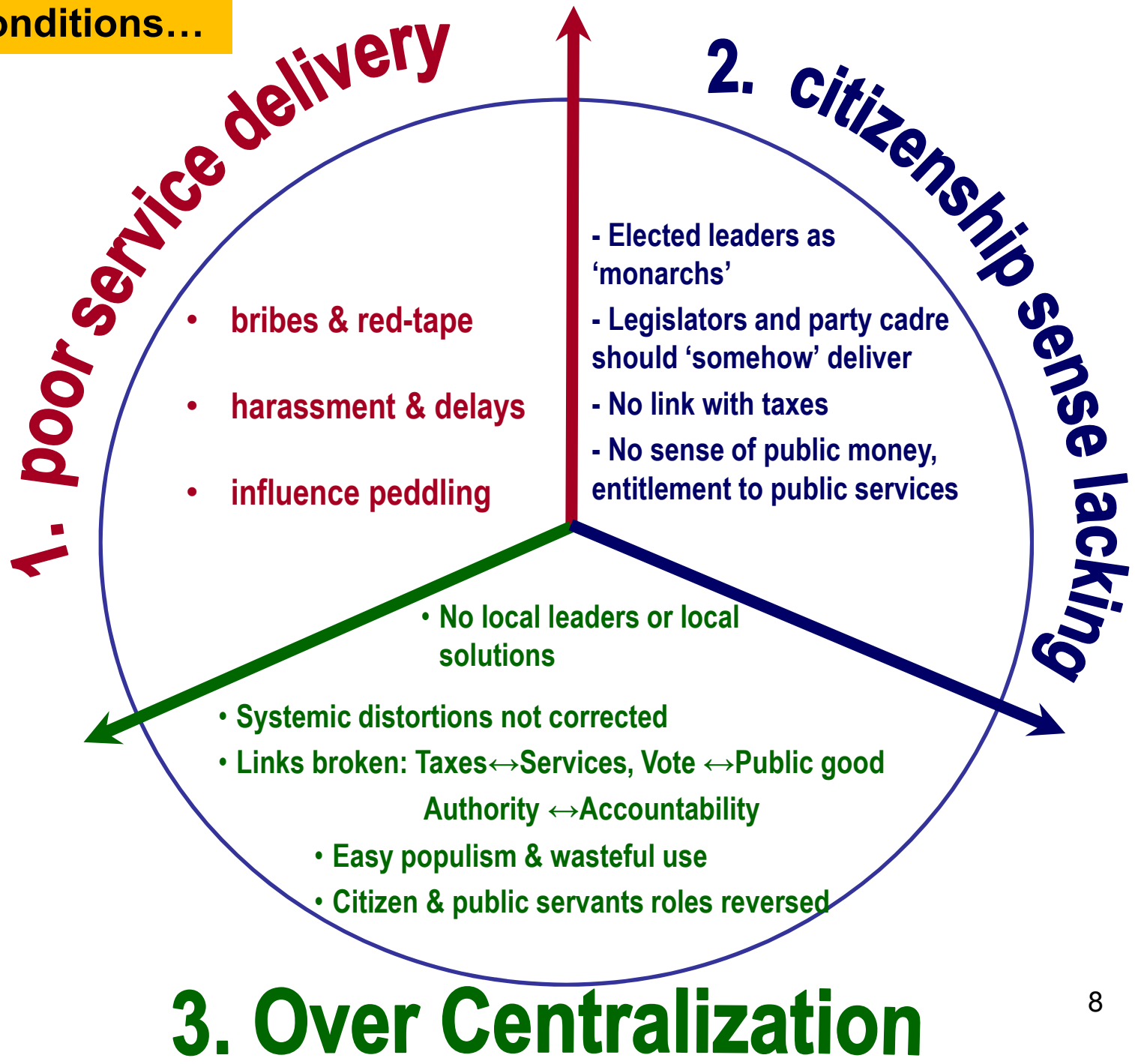
Under consideration

- National Judicial Commission
- Indian Judicial Service

However, much remains to be done.

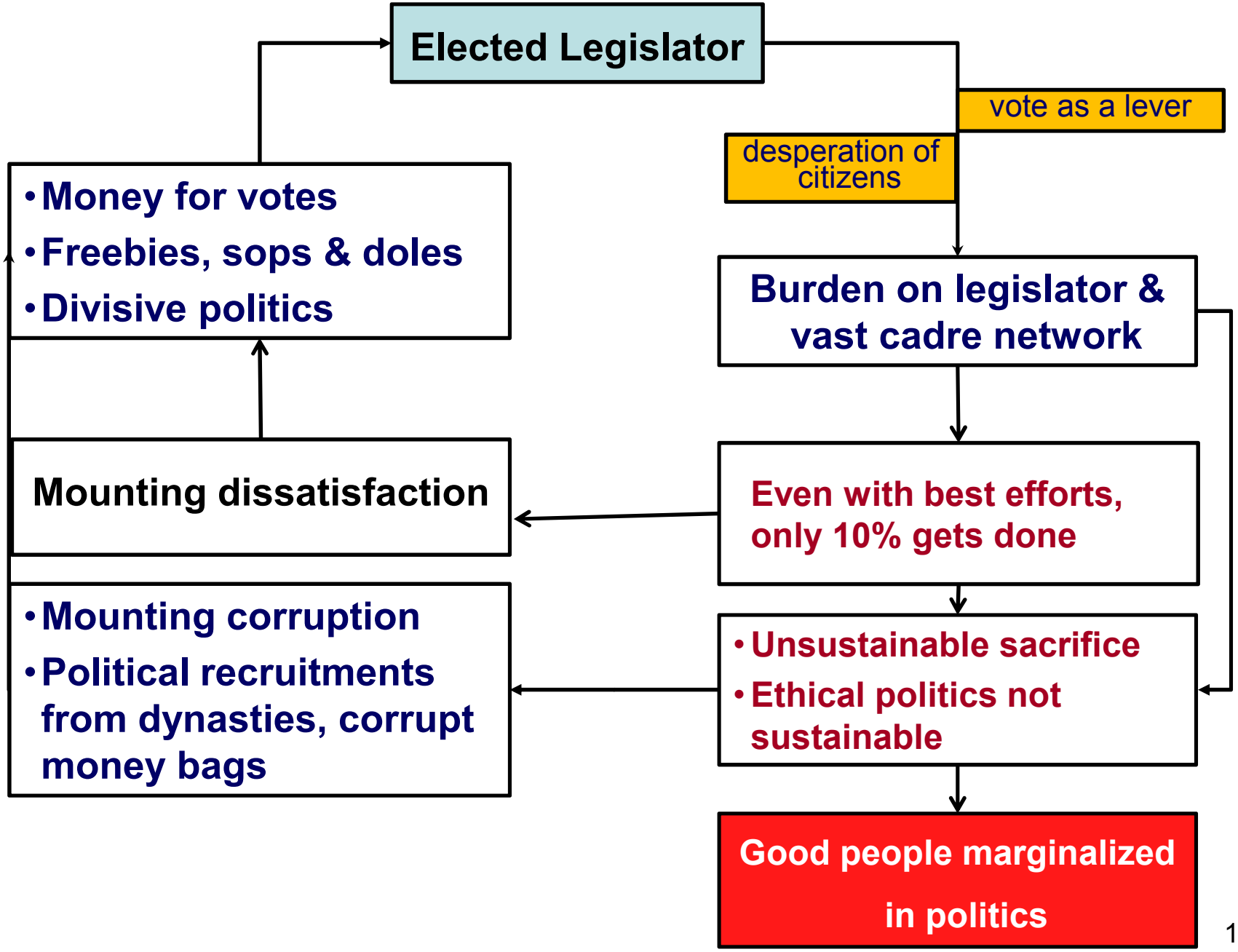
To understand nature of crisis and resolve it, we need to focus on the initial conditions.

The initial conditions…



As a consequence…

- excessive dependence on elected legislators
- vote as a lever for getting even the smallest thing done
- party cadres have to devote vast amount of time at local level
- great sacrifice expected from legislators and political workers


Elected Legislator
vote as a lever
desperation of citizens
•Money for votes
•Freebies, sops & doles
•Divisive politics
Burden on legislator & vast cadre network
Mounting dissatisfaction
Even with best efforts, only 10% gets done
•Mounting corruption
•Political recruitments from dynasties, corrupt money bags
•Unsustainable sacrifice
•Ethical politics not sustainable
Good people marginalized in politics

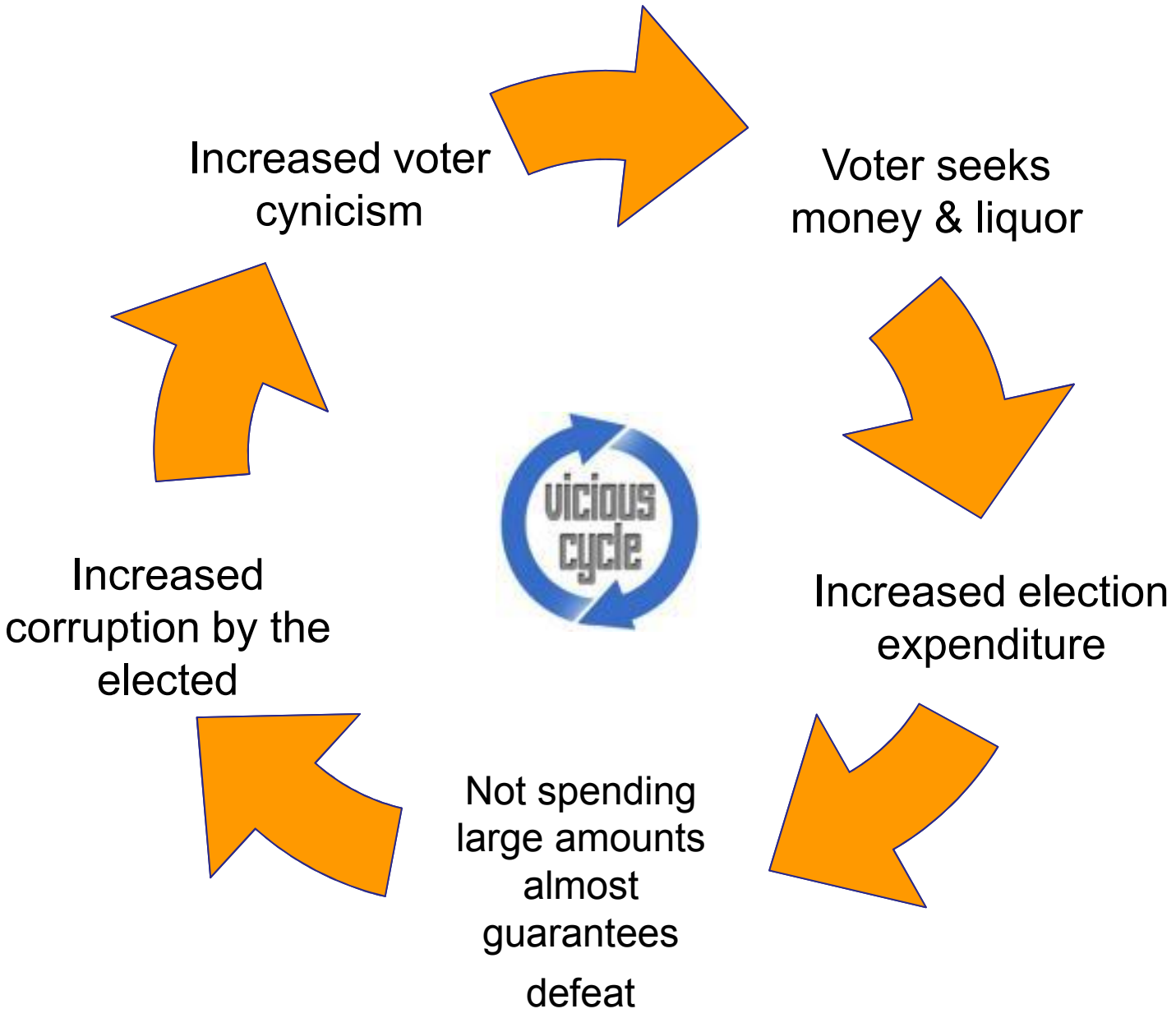
Drawbacks of First-Past-The-Post (FPTP) System

- Vote Buying and vast Election Expenditure
- National Parties are being marginalized
- Best and Brightest individuals are unelectable
- Reckless Populism at the cost of Nation Building
- Emerging local fiefdoms causing decline of parties

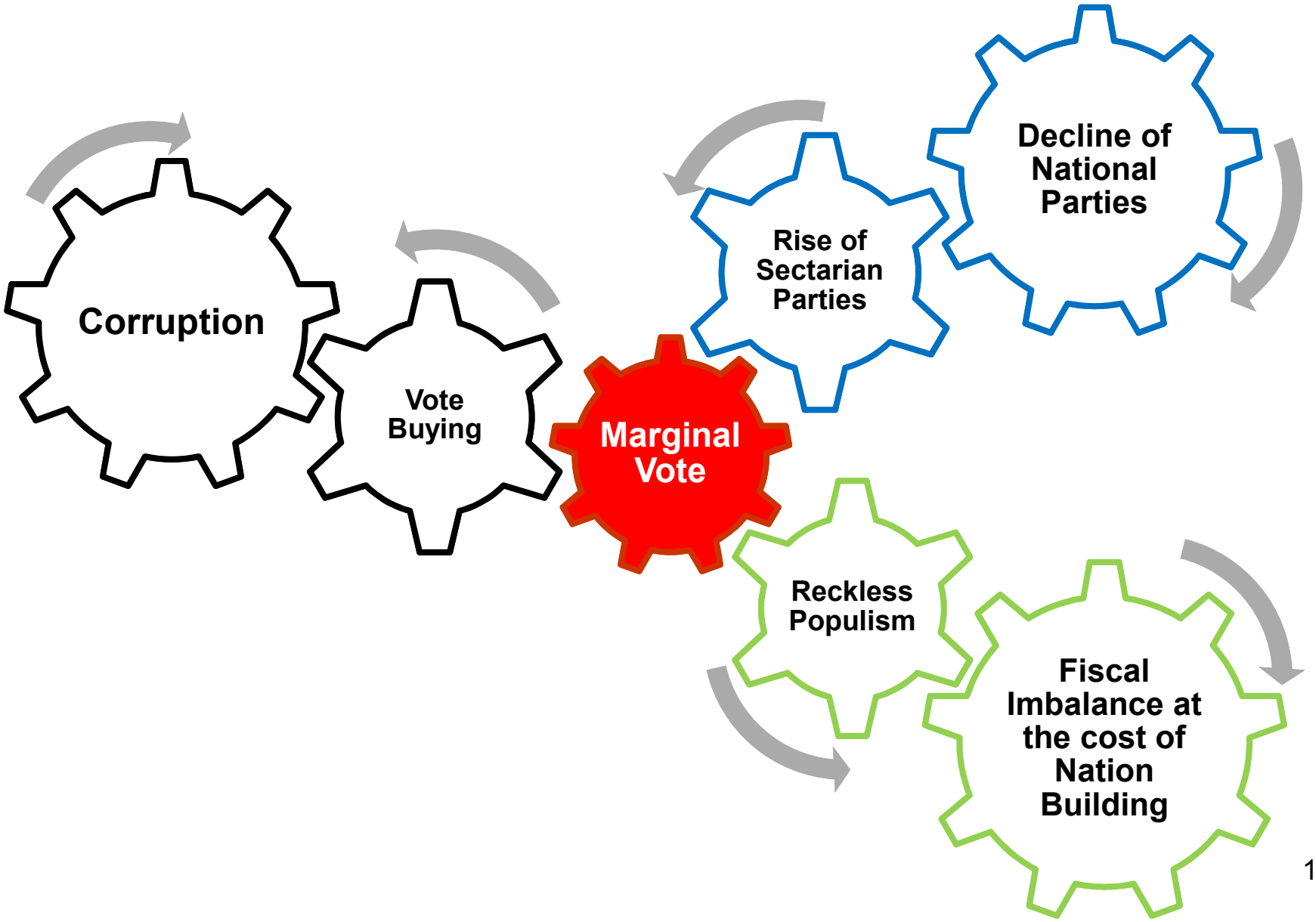
Vote Buying

- In most major states, Rs 2-5 crore expenditure per candidate in each Assembly Constituency
- Worst offenders are AP, Karnataka, Tamil Nadu, Maharashtra, Punjab, Haryana and UP
- Even J&K sees vast expenditure for vote buying
- Large expenditure does not guarantee victory, but non-expenditure ensures defeat!
- Among major states, in West Bengal, Kerala and Gujarat vote buying is not yet rampant

Most election expenditure is to buy votes



Consequences of Marginal Vote



Fringe issues become dominant
Rise of divisive politics

- Two case studies.
  - AP – Telangana issue
  - Rajasthan – Gujjar issue
- Parties desperation to capture marginal vote converting fringe issues into mainstream issues

Lessons from TRS' Performance (Assembly Elections)

2004 Assembly Elections

- TRS in alliance with INC & Left parties
- Telangana region: Total Seats = 107; total votes polled = 1.47 crores

Party	Seats contested in Telangana	Seats won in Telangana	Vote share in Telangana	Vote share in AP
INC	58	48	24.7%	38.6%
TRS	54	26	16.22%	6.7%
TDP	91	11	30%	37.6%

2009 Assembly Elections

- TRS in alliance with TDP & Left parties;
- Telangana region: Total Seats = 119; total votes polled = 1.78 crores

INC	119	50	31.8%	37%
TRS	45	10	9.7%	4%
TDP	69	39	19.7%	28%

TRS Vote Share - Fluctuations

S. No	District	2004 # (Assembly)	2005 * (Municipal)	2006 * (ZPTC)	2009 @ (Assembly)	No. of Assembly Seats
North Telangana						**54**
1	Medak	24.92	24.35	12.70	**11.45**	**10**
2	Nizamabad	17.67	9.91	9.04	**13.22**	**9**
3	Adilabad	17.74	8.44	7.38	**17.71**	**10**
4	Karimnagar	30.30	7.34	11.13	**17.66**	**13**
5	Warangal	24.66	20.35	7.77	**19.88**	**12**
South Telangana						**65**
6	Mahaboobnagar	10.93	4.52	1.96	**4.97**	**14**
7	Khammam	0.74	1.57	0.91	**0.00**	**10**
8	Rangareddy	21.65	12.92	1.39	**6.10**	**14**
9	Nalgonda	10.84	8.97	4.25	**8.23**	**12**
10	Hyderabad				**3.74**	**15**

** in 2005 & 2006 TRS fought on its own. # in 2004 it had alliance with Congress, CPI and CPM. @ in 2009 it had alliance with TDP, CPI and CPM*

TRS' Performance (Local Elections)

Panchyat Raj MPTC and ZPTC Third Ordinary Elections, 2006

Political Parties	MPTC Results	MPTC Percent	ZPTC Results	ZPTC Percent
Congress	8234	51.05	675	61.53
TRS	381	2.36	25	2.28
TDP	6165	38.22	347	31.63
BJP	137	0.85	2	0.18
Others	1213	7.52	48	4.38
Totals	16130	100	1097	100

SOURCE: Andhra Pradesh, State Election Commission, *MPTC/ZPTC Elections, 2006, Comparative Statement of Panchayat Raj Elections, 2001 and 2006*. URL: http://www.apsec.gov.in:8080/apsec/REPORTS/PR2006/comp_pr_elections.htm Accessed April 18, 2007.

As reported in Dean E. McHenry, Jr.' s "Do Elections Foster Separatism? The Case of Telangana" – a paper prepared for presentation at the South Asia Conference, Loyola Marymount University, Los Angeles, April 27-29, 2007

Lessons from Rajasthan: Gujjars vs. Meenas

- Prior to 2003: Gujjars: ~ 8% population& OBC group; but NDA govt. makes Jats OBCs; so Gujjars revive demand for ST status
- But, actually a settled issue; INC-led State govt. comprehensively rejected it in 1984
- 2003 assembly elections: Gujjars seen as traditional Congress voters; BJP aims at votebank; politics of naked caste populism; promises ST status
- Report by 26 District collectors to CM not in favour of ST status for Gujjars
- 2007 & 2008: violent agitations by Gujjars against no progress; talks with govt. fail; violence spreads to UP, Haryana & Delhi; transforms into violent conflicts between Gujjars and Meenas in villages; shoot-at-sight orders issued
- Rift in ruling party; Meena ministers & legislators threaten to resign; Congress remains ambivalent on issue
- 2008: BJP govt. tries a compromise by making Gujjars Special BC group (5% quota)
- But HC stays it as quantum exceeded 50% and no rational/scientific basis for spl. quota.

Issue not yet resolved…

Rise of populism and fiscal problems

- Most voters are disenchanted with poverty, corruption and poor delivery of services
- Since 1980s, parties started indulging in selective populism – mid-day meal/Rs.2 kg rice etc
- In time competitive populism become inevitable
- Infrastructure, good governance and job creation are long term, uncertain outcomes
- Free rice, free power, television set, mixie, girnder,gold-chain etc are tangible, instant, desirable goodies
- A part that does not offer freebies risks losing the crucial marginal vote of 5% or so, and will lose the election.
- All mainstream parties are now sucked into short-term populism at the cost of long term public good

FPTP: Electable vs Desirable

Qualities needed to win elections	Qualities desirable for governing well
• Vast, unaccounted supply of money for vote buying and sustaining cadres.	• Heightened sense of ethics and personal morality
• A dedicated political machine loyal to the local leader	• Competence, professionalism and record of service
• Identification with, and recognition as, the leader of a caste / community / region	• Deep commitment to public good
• Willingness to polarise the society for electoral gain	• Ability and desire to harmonise conflicting interests
• Focus on short term freebies and voters' individual needs	• Focus on social needs – infrastructure, rule of law, human development and job creation

Paradox of our elections

- The qualities neeed for good governance necessarily make a person unelectable.
- The attributes that help in winning elections make it difficult to promote public good
- Often, those who are electable are not desirable; those who are desirable are not electable !

BJP & Congress do not matter

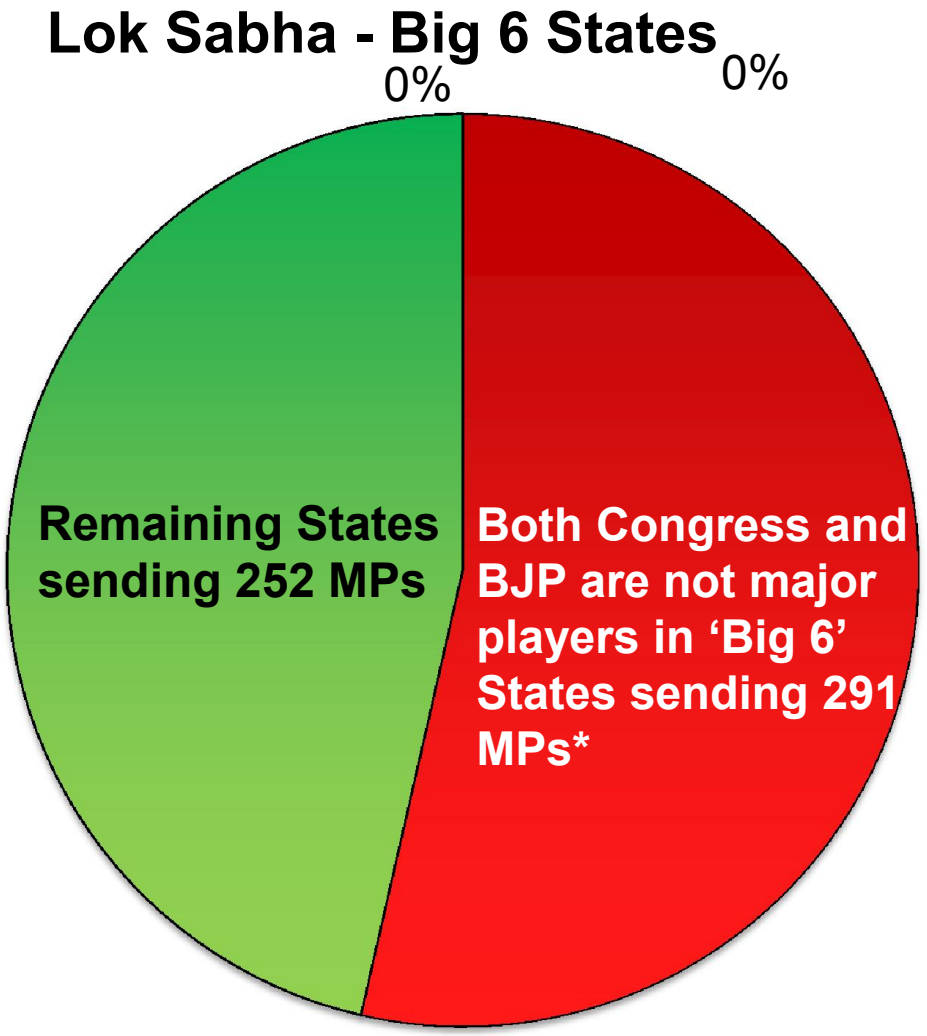
… in more than half of India

Total Seats in Lok Sabha : 543

Halfway Mark : 272

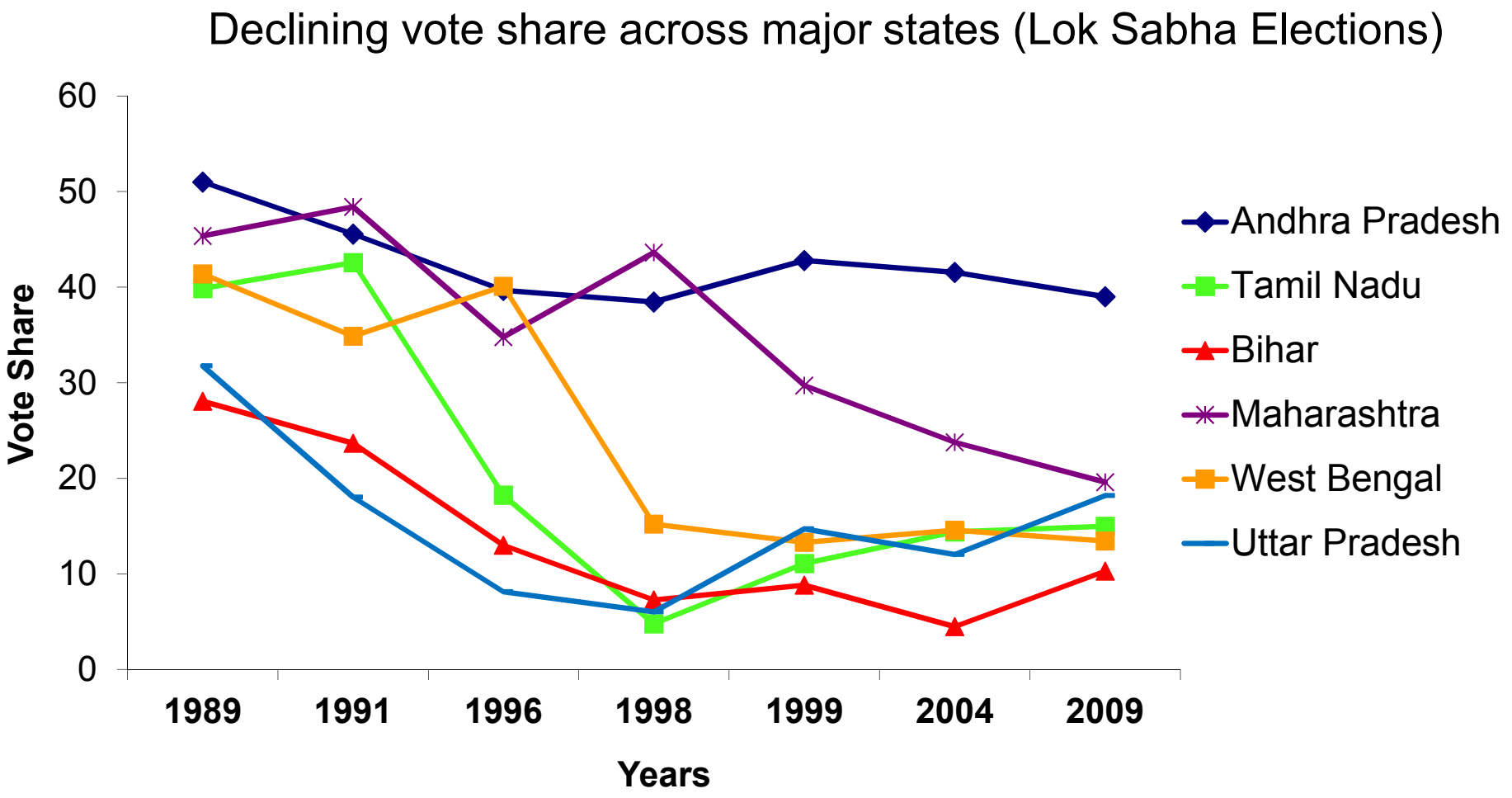
'Big 6' States : 291 Lok Sabha Seats

Uttar Pradesh	- 80 Seats
Maharashtra	- 48 Seats
West Bengal	- 42 Seats
Andhra Pradesh	- 42 Seats
Bihar	- 40 Seats
Tamil Nadu	- 39 Seats

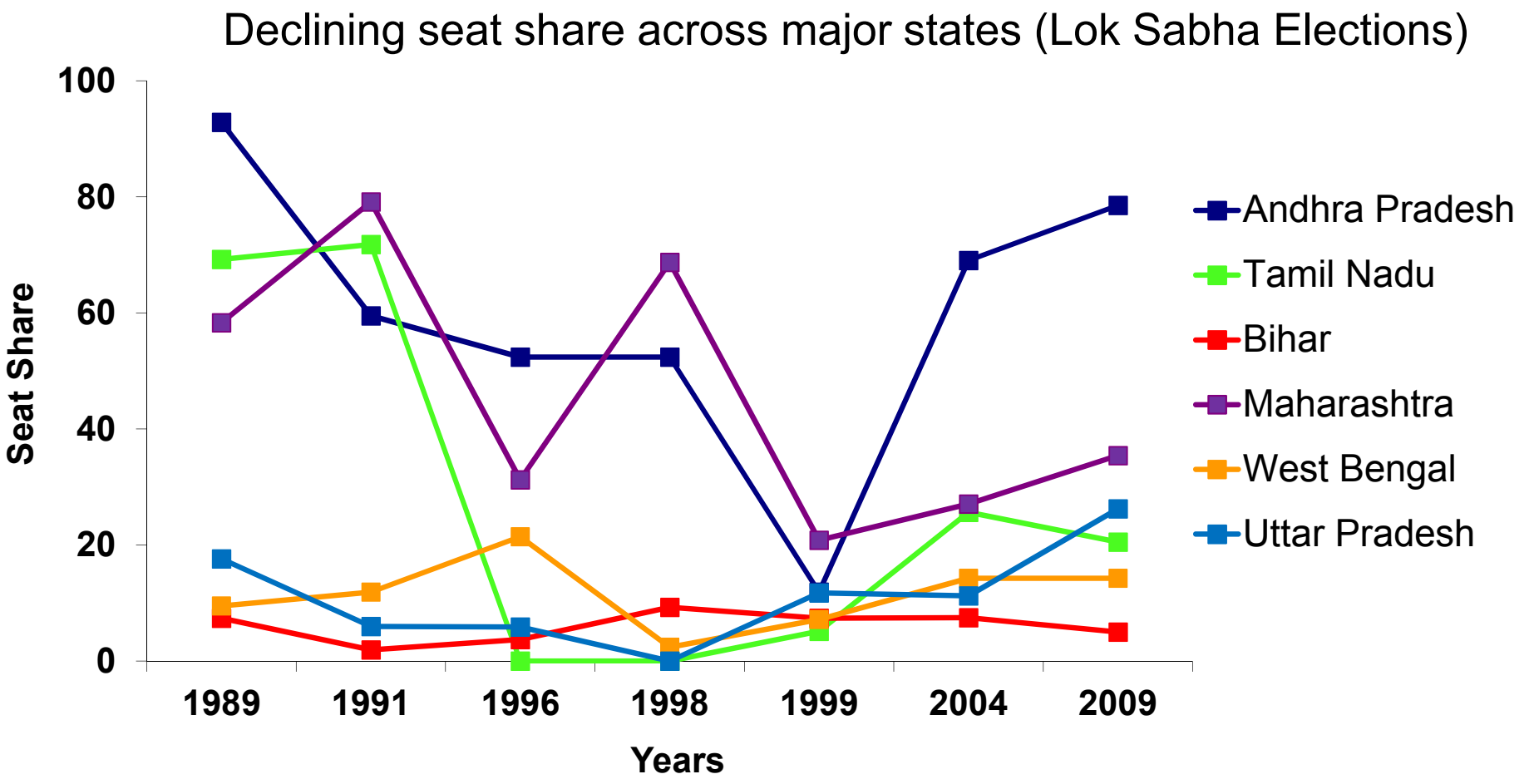


* AP included as Congress could not win a single seat in any of the by-elections since 2009

Falling vote share of Congress since 1989 …

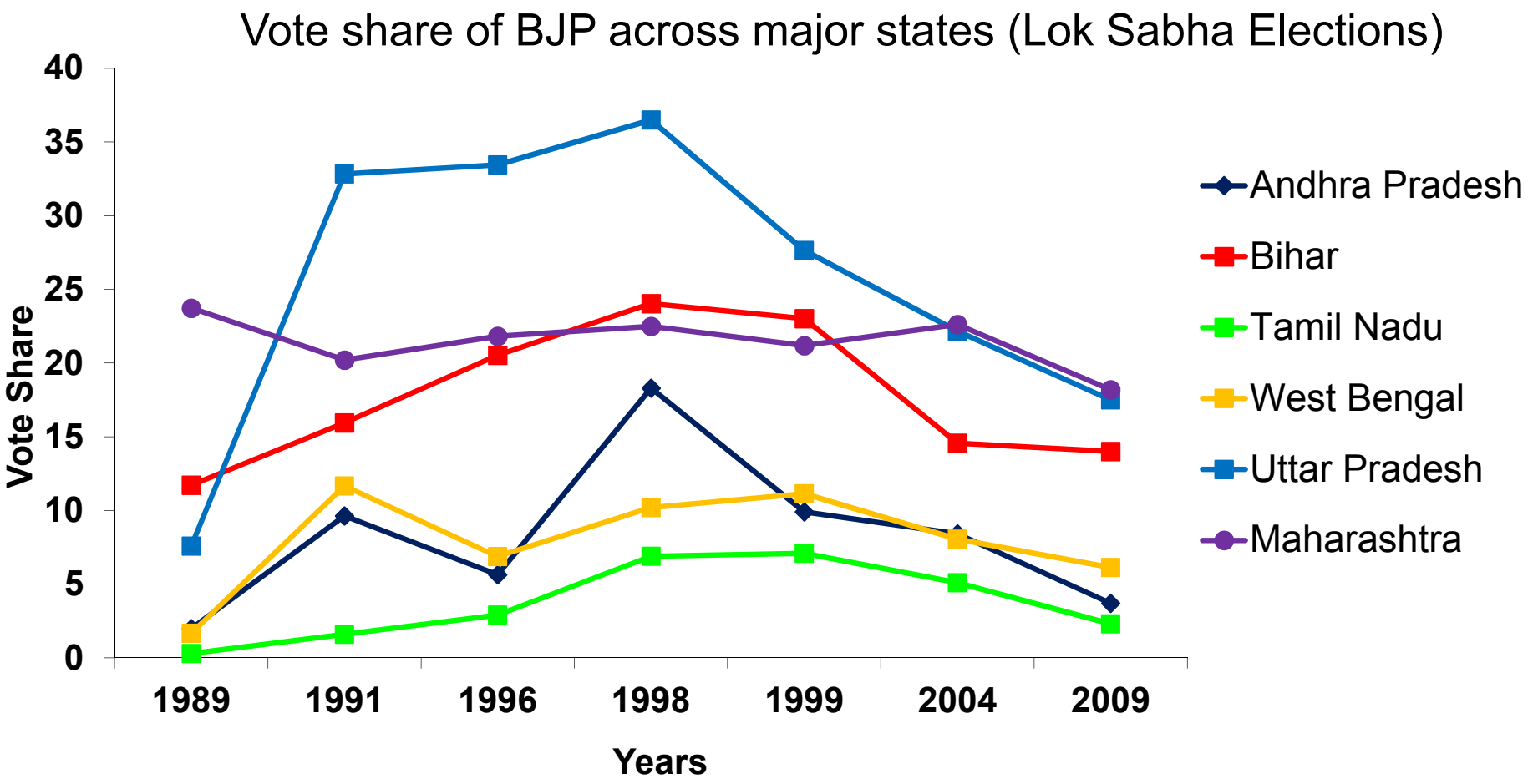


… Consequent decline in share of seats for Congress



Note: *Only in UP & Bihar do seats and votes reflect Congress' own strength; in other states alliances have given Congress better results.*
Also, Congress could not win a single seat in AP in any of the by-elections since 2009

Falling vote share of BJP in the major states since 1989 …



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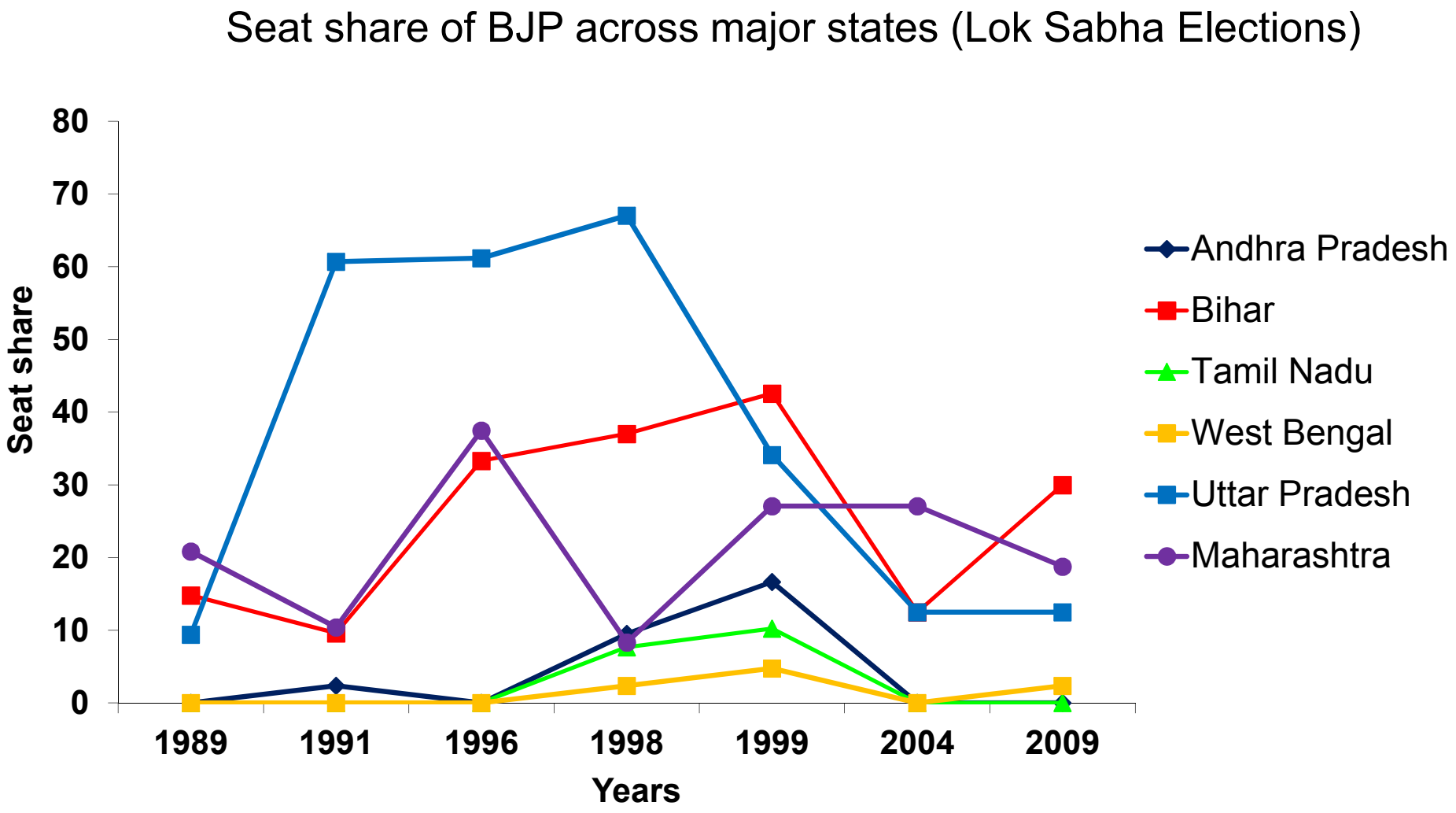


***Note**: In Bihar and Maharashtra BJP is in alliance with regional parties*

Vote Share - Seat share disproportionality

Experience from Uttar Pradesh Assembly Elections

SAMAJWADI PARTY (SP)			
Year	**Vote share %**	**Seat share %**	**Actual number of seats**
2007	25.43	24.07	97
2012	29.13	55.58	224

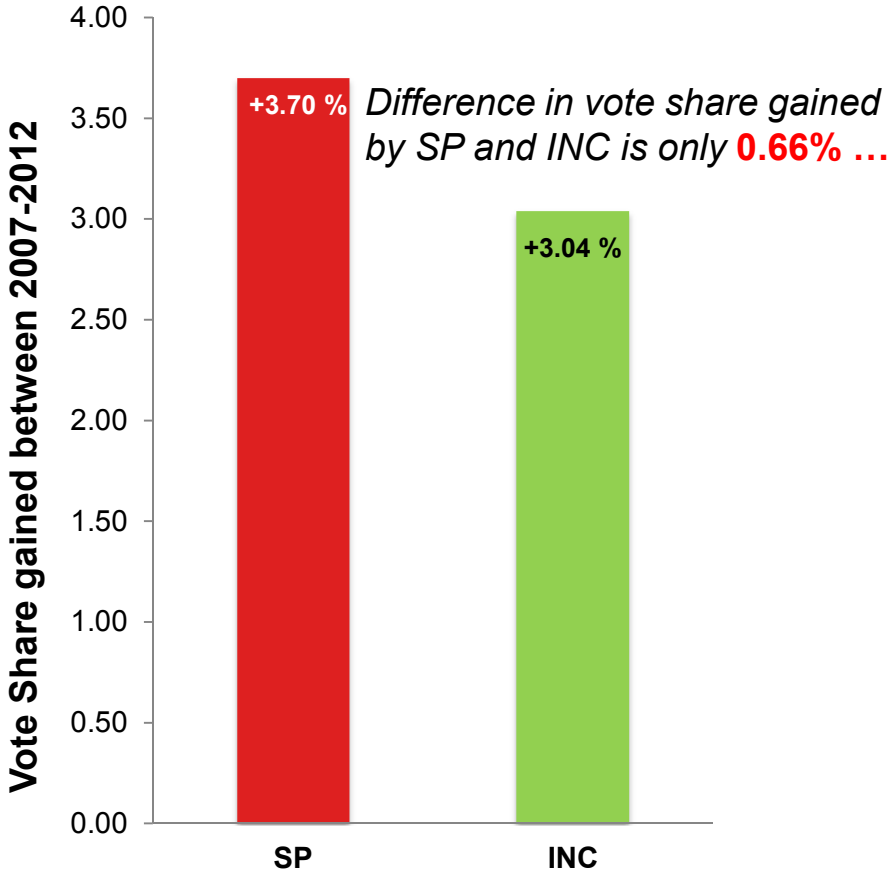
INDIAN NATIONAL CONGRESS (INC)			
Year	**Vote share %**	**Seat share %**	**Actual number of seats**
2007	8.61	5.46	22
2012	11.65	6.95	28

Gain in vote share and seats Between 2007 and 2012		
Party	**Gain in Vote share**	**Gain in Seats**
SP	+3.70%	+127 Seats (31.51%)
INC	+3.04%	+6 Seats (1.49%)

SP vs. Cong in Uttar Pradesh:

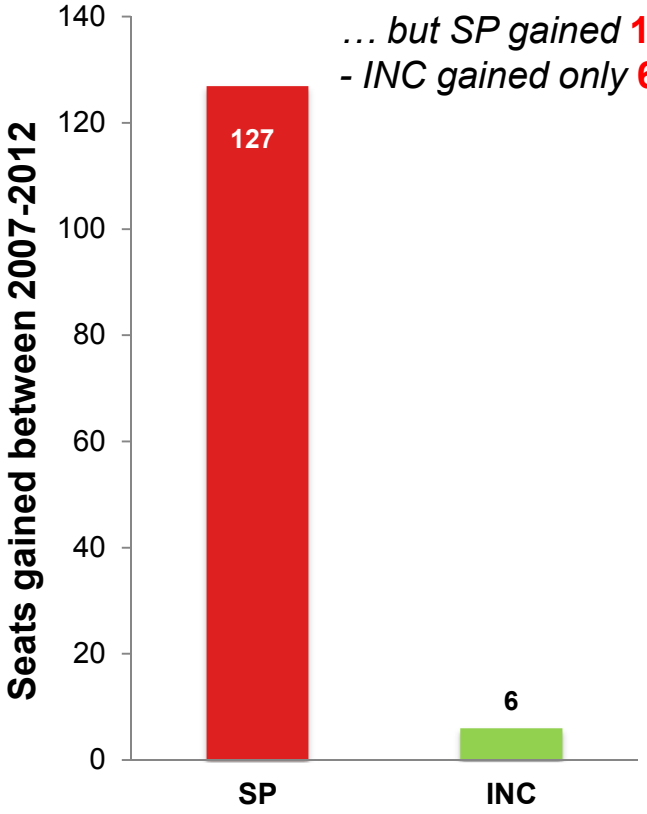
Similar gain in vote share … but huge difference in seats gained

Difference in Vote Share between 2007 and 2012 Assembly Elections



Difference in vote share gained by SP and INC is only **0.66% …**

Difference in Seats gained



… but SP gained **127 seats**
- INC gained only **6 seats**

Best & brightest are unelectable in FPTP

- In most major states, it costs Rs. 2-6 crores to seriously compete to be an MLA & Rs.10 crores or more to be MP
- Most money is for vote-buying and has to involve law-breaking and black money
- Big money, muscle power and criminal nexus, caste base and entrenched personal following are often prerequisite for electoral success
- Absence of internal democracy in parties, and weak local governments make it even harder for enlightened citizens to participate in politics

Populism and Fiscal Imbalances

- Reckless populism to gain marginal vote hurting the exchequer
- Fiscal deficits are not under control
- Skewed priorities – populist schemes instead of education, healthcare and infrastructure

Parties are in decline

Parties often at the mercy of local strong men…

- with abnormal money power, patronage networks and caste connections
- built impregnable modern fiefdoms without legitimate democratic mandate… operating entirely outside party
- weaken the party when they switch sides

Politics at the cost of nation-building

- Parties, in the quest for marginal vote, are compelled to offer short-term freebies
- This is often resulting in competitive populism and serious fiscal deficits
- Even major parties behave differently while in power and opposition. Instability is the consequences; and national interest is the casualty. ex: Petrol price hike, FDI, nuclear agreement
- Even when parties know the consequences, they are helpless; a slight fall in vote share eliminates them from the race to power
- Much of this problem is because of parties' fear of losing marginal vote

Distortions of FPTP - Summary

- National Parties marginalized in most large states
- Political fragmentation
- Money power for marginal vote leading to corruption
- The best and brightest shun elections and politics
- Politics of fiefdoms has taken root .. Parties in decline
- Competitive populism to attract marginal vote
- Divisions exacerbated for local political gains
- Political recruitment flawed, to ‘somehow’ win constituencies
- Tactical voting because of ‘wasted’ votes
- Voter apathy and cynicism

Need for an alternative electoral system

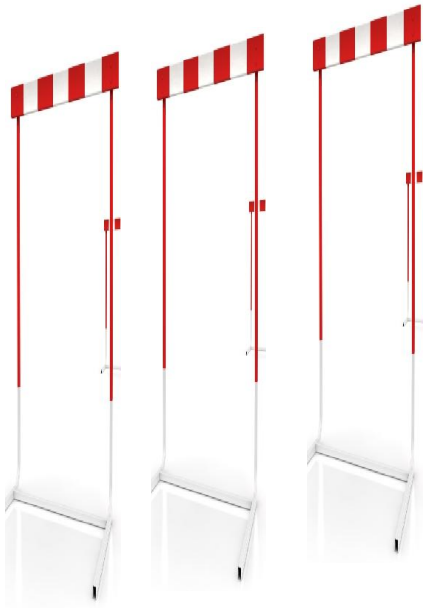
That is …

1. Fair
2. Broadly Acceptable
3. Easy to Accomplish
4. Corrects Most of the Present Distortions
5. Minimal Negative Impact

Proportional Representation (PR) instead of FPTP

FPTP	PR
Candidate Based	Party Based
Constituency Based	State Based
High Threshold for Success	Moderate Threshold for Success

FPTP	PR
• High threshold	• Moderate threshold
• Local deep base	• Wide base
• Strong organisation	• Moderate organisation
• Money power	• Credibility & agenda



Merits of PR

- Vote buying diminishes as marginal vote is not critical
- Competent and honest politicians with good image become electoral assets
- Rational, long-term policies can be pursued as marginal vote is unimportant
- National parties will be viable in all states
- Vote reflects voters' views
- Greater voter participation
- Voice and representation to all segments and views

Concerns about PR

- At first glance, FPTP favours several groups to come together
- In reality, the local caste group or other identity dominates in many constituencies
- FPTP is constituency-based election; favours sectarian politics
  - Eg: MIM in parts of Hyderabad
  - PMK – with Vanniar vote in North Tamil Nadu
  - Local Caste domination – Lingayat, Vokkaliga, Maratha, Reddi, Kamma, etc..

But, PR allows parties to reconcile conflicting interests for maximum acceptance – State-wide appeal matters; not local domination

Concerns about PR (contd…)

Therefore,

FPTP

- Constituency based
- High barrier for winning
- Difficulty in entry

As a consequence, status-quoist leaders seeking ego-gratification tend to dominate. Political fiefdoms and corruption predominate.

PR

- State based
- Moderate / reasonable threshold for winning
- Wide support base needed

As a consequence, relatively easy, wide acceptance of national parties…

Stability – Constructive No Confidence

- Germany, Spain and Hungary have provisions for Constructive No Confidence.
- Art 67 of German Basic Law. "The Bundestag can express its lack of confidence in the Federal Chancellor only by electing a successor with the (support of the) majority of its members".
- A similar provision can be incorporated to promote stability in India at both national and state levels.

Stability – filling Vacancies without by-elections

- Art 48 of the German Federal Electoral Law States that if a vacancy arises in Bundestag:

  > "the vacant seat shall be filled by an appointment from the Land (State) list of that party for which the departed member stood for election."

- Such a provision can be incorporated in law along with PR, so that frequent by-elections can be avoided

- Constructive no confidence and filling vacancies without frequent by-elections will enhance stability of governments

Constitution allows PR - No amendment needed

Art. 81(2)(b) of The Constitution Of India

For elections to Lok Sabha:

each State shall be divided into **territorial constituencies** in such manner that the **ratio between the population** of each constituency and the **number of seats** allotted to it is, so far as practicable, the **same throughout the State**…

Similar provision exists for elections to Legislative Assemblies under Art. 170(2)

Only Representation of the People's Act needs to be amended

Local Governments

VOTE	➢ Public Good ➢ Reduced role of vote buying ➢ Participation of enlightened citizens
TAXES	➢ Services ➢ Better Public policy ➢ Focus on infrastructure and nation building ➢ Better fiscal management
AUTHORITY	➢ Accountability ➢ Better service delivery ➢ Greater legitimacy and democracy


SUNNYVALE
Lachine Dr
Lowell Ct
W Homestead Rd
Homestead Rd
Homestead Rd
Homestead Rd
Noranda Dr
Dr. Tang Acupuncture Clinic
CUPERTINO

Local Government – **Cupertino vs Sunnyvale**

- Sunnyvale & Cupertino are two cities in Bay Area of California on either side of Homestead Road
- Through all conditions are similar, property values of Cupertino are 40 – 50% higher
- Reason: School District in Cupertino has good reputation for outcomes. Only local residents (tax payers) can send kids to local public schools. Hence, greater demand for houses in Cupertino
- Taxes ⇌ Services ⇌ Property value

Vote

Local Government - **J&K experience**

- It was a vote for self-governance, *not* self-determination
- **79% of voters** came out to exercise their franchise in the party-less election for local self-government institutions and elected some 33,000 representatives in 4,200 panchayats.
- This election result gave India a priceless opportunity in a militant-plagued state
- If funds are devolved with powers at Rs.1000/capita to every panchayat and municipal ward, people would be involved in things that matter in their lives.
- Terrorism and secessionism would recede with people's participation and satisfaction in outcomes.