

A DICHOTOMY IN INDIAN REPRESENTATIVE SYSTEM (LOCAL SELF GOVERNMENT IN MANIPUR AND MAJORITY CARRIES THE VOTE)

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ABSTRACT

The present analysis is an attempt to analyse on the mode of electing winning candidate in particular with least vote in the Local Self Government; to insight the possible way for partial reformation to elect only the candidate who voted by the majority of vote (50+ %); to examine in dept whether it has system lapses or on the part of execution that many non-serious candidates produced by winnable candidates. The research question involve in this study includes - Is there system lapses on Indian electoral system that elected many minority supported candidate on election though they have highest number of vote? After few decades, the electoral politics in the grass-root democracy shall be in a dismal position in the sense that if they got elected by the support of less than 20 percent or so.

Keywords: Majoritarian, local self government, dichotomy

1. INTRODUCTION

Since 1952, elections have been successfully conducting and forming peoples' government through elected representatives under the first-past-the-post system in India. Theoretically, 'majority carries the vote' is applied while electing representatives in India. In the real sense, under this system, are the elected members represent majority of that particular constituency or even the electorates in totality. Perhaps, they may be candidate who got highest number of votes amongst their contestants, but if the contestants are more than two, the system 'majority carries the vote' is very much questionable in the sense that many elected representatives are below the 50 percents in average. Significantly, some elected representatives are entering in the Assembly and Parliament as representative of the people by getting just about 20 percent or so. If the majority of such elected representatives dominate the Legislative Assembly, shall it be treated as representative form of government that represent majority of the people? On the other hand if the electoral system is exist as it is, the future democracy of India shall be a dichotomy to the system of majority carries the vote and ultimately it will influence for flawed democracy. What will be

the winning numbers of vote where more than ten or fifteen contestants in one constituency, is very unfortunate in this system. The elected candidate who is the representative of the people of that particular constituency often emphasised for the betterment of small numbers of electorates who voted him. It is indeed dichotomy of democracy and outcome of the present system of election. So the proposer wants to analyse the feasibility for partial reformation on the electoral system to find out a mechanism to elect only the candidate who voted majority (50+ %). Further it is wanted to examine what will be the fate of Indian democracy in near future if the present system of election exists so long.

2. CONCEPTUAL FRAMEWORK

The Democratic future of India depends upon healthy political environment. A number of commissions and committees have examined various malpractices and system lapses however; the problem is increasing day by day. The parliament has taken efforts by amending the laws but the exercise has proved futile. Sanctity and purity of elections must be protected at any cost, as the future of India depends on it. It is trite to say but important to note that a fair and unbiased electoral process, with greater citizen participation is fundamental to safeguarding the values of democracy.ⁱ The FPTP system, followed in Lok Sabha elections, is regarded as one of the simplest forms of electoral systems, where each voter has a single vote, and where a candidate wins if he receives the highest number of votes in a constituency.ⁱⁱ During the drafting of the Constitution, various systems of proportional representation were considered, but the FPTP system was eventually adopted to avoid fragmented legislatures and to facilitate the formation of stable governments.ⁱⁱⁱ What this often translates into is that the FPTP system, which boasts of the fact that it provides a majoritarian (and hence more democratic) government, is *itself not able to adequately uphold majoritarianism in a multiparty system*^{iv} since the winning candidate wins only about 20-30% of the votes.^v Examples abound from Lok Sabha and State Assembly elections, where parties enjoying significant vote shares have failed to translate the same into seats.^{vi} For instance, the Indian National Congress won only about 49.10 percent of the total vote share in the 1984 General Elections to the Lok Sabha, but had a sweeping majority of 405 out of 515 seats in the House. In the elections to the Tamil Nadu Legislative Assembly in 1996, the AIADMK polled 21.47 percent votes, but could secure only four seats in the Assembly.^{vii}

Theoretically, 'majority carries the vote' is applied while electing representatives in India. In the real sense, under this FPTP, are the elected members represent majority of that particular constituency or even the electorates in totality. Perhaps, they may be candidate who got highest number of votes amongst their contestants, but if the contestants are more than two the system 'majority carries the vote' is very much questionable in the sense that many elected representatives are below the 50 percents in average. Significantly, some elected representatives

are claiming as representative of the people by getting just about 20 percent or so. If the majority of such elected representatives dominate the Legislative Assembly, shall it be treated as representative form of government that represent majority of the people? Till today 66 years passed since first general election, many theorist and activist sought to reform electoral system in India. They also understand that there may be certain obstacles to reform entire electoral system in India due to largest electorates. On the other hand if the electoral system is exist as it is, the future democracy of India shall be a dichotomy to the system of majority carries the vote and ultimately it will influence for flawed democracy. Since electoral preparation starts in a constituency the aspirant candidate sees only the possible number of votes to win election that implies below the majority number if there are more than two contestants. What will be the winning numbers of vote where more than ten or fifteen contestants in one constituency, is very unfortunate in this existing electoral system? The winning candidate who is the representative of the people of that particular constituency often emphasised for the betterment of small numbers of electorates who voted him. It is indeed dichotomy of democratic conception and outcome of the present system of election.

Gandhian values of selflessness service to the people and self sacrifice have been destroyed systematically over the years and both the politicians and political parties have lost their credibility.^{viii} Non-serious candidates are largely floated by serious candidates either to cut sizeable portion of votes of rival candidates or to split the votes as ultimate strategy. Indian political system is extremely fragmented, with nearly 15 political parties contesting each seat in 2014 general election. States like Haryana see political competition rise to as high as 23 parties per seat. But in actual fact, upright person who is public spirited and wants to serve the people has no chance of either contesting or in any case winning the election.^{ix} It is also clear, from the experience of other countries that any changes in India's electoral system will have to follow a hybrid pattern combining elements of both direct and indirect elections. It may be noted that proportional representation theoretically being more representative, while the FPTP system being more stable.

Some reformist groups often stated to replace the present system of FPTP system by proportional representative system. In the Constituent Assembly Debate on 4th January 1949, BR Ambedkar noted that 'One of the disadvantages of proportional representation is the fragmentation of the legislature into a number of small groups'. It may be noted the verdict of Supreme Court of India 'For democracy to survive, it is essential that the best available men should be chosen as people's representatives for proper governance of the country. Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above (NOTA) button, which will indeed compel the political parties to nominate a sound candidate.^x With the partial modification on the present system of election FPTP, it will not difficult to elect only those candidate who

voted by majority (50+ %) of the electorate from one particular constituency which will make sense Indian election more democratic as well as majority carries the vote. All the political leaders, party, candidate, workers and electors will take serious the matter of election if there is certain reformation on the electoral system to elect only the candidate who voted by majority (50+ %). What we are facing the problem in India is also one of the impacts of system lapses on selecting the right person on the fray. If the candidate won election with a few votes like less than 20% or so, the mindset of the winning candidate and his/her workers has usually dominated by the pessimist conception when there is implementation of developmental or social welfare schemes. That, if there is high immoral and unethical politics on the eve of election, we could not expect corruption-free society. So, less corruption and meaningful democracy may be possible only when there is free and fare election under a better election system that can elect the candidate voted by majority.

3. REVIEW OF LITERATURE

On the proposed area of this study there is no such research work in particular though some of the scholar attempted to reform electoral system that the present analysis is an attempt to elect real representatives of the people. Free and fair election process is a foundation of healthy democracy. Electoral reforms of radical nature can only save this glorious nation from political deterioration. Sanctity and purity of Elections must be protected at any cost, as the future of India depends on it. Nilesh (2018) argued that democracy can function only upon this faith that elections are free and fair and not manipulated and rigged.^{xi} But for certain reasons, system of democracy is not working properly and common man feels that there is something wrong in the electoral process. Further the analysis also revealed that some of the candidate and parties participate in the process of elections to win them at all costs, irrespective of moral values. The election at present are not being hold in ideal conditions because of the enormous amount of money required to be spent and large muscle power needed for winning the elections. No electoral system can provide real and effective representation for the larger societal aspirations if there is disorder in the democratic system. The arguments concluded with the observation that the ideal conditions require that an honest, and upright person who is public spirited and wants to serve the people, should be able to contest and get elected as people's representatives.

Law Commission of India (2015) regarding the electoral reformation suggested that a fair and unbiased electoral process, with greater citizen participation is fundamental to safeguarding the values of democracy.^{xii} Mahesh and Vijay, (n.d) revealed that the 'first-past-the-post- system' is one of the simplest forms of electoral systems, where each voter has a single vote, and where a candidate wins if he receives the highest number of votes in a constituency.^{xiii} Constituent Assembly Debates (Proceedings), (1949) clearly mentioned that various systems of proportional

representation were considered, but the FPTP system was eventually adopted for stable government.^{xiv} Madhav Godbole, (2004) rightly observed that the FPTP system, itself not able to adequately uphold majoritarianism in a multiparty system, since the winning candidate wins only about 20-30% of the votes.^{xv} Rama and Mendiratta, (2014) cited example for un-proportionate votes and people's representatives while in the elections to the Tamil Nadu Legislative Assembly in 1996, the AIADMK polled 21.47% votes, but could secure only four (1.71%) seats in the Assembly.^{xvi}

Some reformist groups often stated to replace the present system of FPTP system by proportional representative system. In the paper published in Studydhaba (n.d) 'Electoral reforms in India since independence' argued on the deteriorating condition of electoral politics stated that Gandhian values of selflessness service to the people and self sacrifice have been destroyed systematically over the years and both the politicians and political parties have lost their credibility.^{xvii} Jeetender (2013) reiterated the verdict of Hon'ble Supreme Court of India where it recommends the government "For democracy to survive, it is essential that the best available men should be chosen as people's representatives for proper governance of the country".^{xviii} This can be best achieved through men of high moral and ethical values, who win the elections on a positive vote. Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above (NOTA) button, which will indeed compel the political parties to nominate a sound candidate. This situation palpably tells us the dire need of negative voting. Further the verdict also stated that "The direction can also be supported by the fact that in the existing system a dissatisfied voter ordinarily does not turn up for voting which in turn provides a chance to unscrupulous elements to impersonate the dissatisfied voter and cast a vote, be it a negative one. Furthermore, a provision of negative voting would be in the interest of promoting democracy as it would send clear signals to political parties and their candidates as to what the electorate thinks about them".^{xix} With this existing electoral system, BYJU, (2016) argued that an honest, and upright person who is public spirited and wants to serve the people, should be able to contest and get elected as people's representatives. But in actual fact, such a person has no chance of either contesting or in any case winning the election. With this view the present study will give a new insight.^{xx}

4. OBJECTIVE OF THE STUDY

The primary objectives of the study are

1. to analyse on the mode of electing winning candidate in particular with least vote in the Local Self Government;
2. To insight the possible way for partial reformation to elect only the candidate who voted by the majority of vote (50+ %);

3. To examine in dept whether it has system lapses or on the part of execution that many non-serious candidates produced by winnable candidates;
4. To predict the changing dynamics on electoral integrity after few decades.

5. RESEARCH QUESTIONS

RQ1. Is there system lapses on Indian electoral system that elected many minority supported candidate on election though they have highest number of vote?

RQ2. What will be the possible consequences of Indian democracy if the present system of election is follow as it is?

6. HYPOTHESIS

The hypothesis of this analysis - After few decades, the electoral politics in the grass-root democracy shall be in a dismal position in the sense that if they got elected by the support of less than 20 percent or so. If the situation arise in the same way in various constituency the conception of majority carries the vote will demean democracy. On the other hand if the electoral system is exist as it is, the future democracy of India shall be a dichotomy to the system of majority carries the vote and ultimately it will influence for flawed democracy.

7. METHODOLOGY

No single method can be solely relied upon for making a meaningful enquiry to a topic like the present one. Therefore, a combination of traditional and modern methods are used in this study. Historical and descriptive methods have been followed to explore the retrospective situation of electoral system in India. The study also analysed primary as well as secondary sources but it emphasised on qualitative methods. The universe of the study is one Urban and Rural areas of one districts of Manipur. Quantitative and empirical methods are the main tools through which findings are developed. Besides, relevant secondary sources were analysed to justify the context. Last but not the least analytical observation and suggestions are place for discussion.

8. LOCAL SELF GOVERNMENT IN RURAL AREAS

In Manipur we have two tire system of Panchayati Raj, i.e. Gram Panchayat at the village level and Zilla Parishad at the district level. The Panchayat at the both levels are involved in the implementation of centrally sponsored and state planned schemes for creation of community assets, infrastructure development and employment generation etc. in rural areas of the state. As a unit of local self government the Panchayati Raj Institutions play a vital role in the development of rural areas for poverty alleviation through the process of ensuring maximum participation of general masses by holding Gram Sabhas for preparation of Plans for economic

development and social justice. The Gram Sabha is the general assembly of the adult villagers. It is through this forum that the rural poor, women and marginalized get an opportunity to participate in the discussion and expression of their views on common problems they face in their villages. The State Act provides for not less than 4 (four) Gram Sabha meetings in a year. In the dispensation of Panchayati Raj, the Gram Sabha takes the model of being a forum for direct democracy in rural governance. Characteristically, the Gram Sabha can be compared with the citizens' forum of democracy in the ancient Greek-city-States. Active Gram Sabha is a must for participatory democracy and transparent village administration. Rather the Gram Sabha is to function as the basic platform of the Panchayati Raj system. An active Gram Sabha is a must for providing effective socio economic transformation in the rural areas of the State. Under the Manipur Panchayati Raj Act., 1994 five general elections to the Panchayats have been held so far. The first election was held in the year 1997; the second in the year 2002; the third in the year 2007; the fourth in the year 2012 and the fifth in the year 2017 under the supervision and control of Manipur State Election Commission under Section 98 of the MPR Act. 1994. At present 1723 representatives of PRIs in Manipur. The Gram Sabha, recognized as the basic unit of democracy consisting of all adult residents of the village, should not only deliberate but also participate with its executive, namely the Gram Panchayat, in planning and implementing various development programmes for causing socio-economic transformation. (Shyamsunder, 2017: 19).

9. MAJORITARIAN SUPPORT AND LOCAL SELF GOVERNMENT IN MANIPUR

Total vote scored in the Nambol AC for the election of Councillor 2016, by BJP- 5523; INC – 5090, IND – 438, as such BJP won 10 seats of Councillors while INC won 3 seats. It may be said that out of 13 winning candidates 3 candidates were not supported by the majority of the electorates in the sense that BJP candidate who won in Phoiying Makha got 44 percent, BJP candidate who won in the Kongkham Awang got 49 percent while another INC candidate who won in the Maibam got only 39 percent. But in general most of the winning candidate can secure maximum votes as there are two contestants in most of Councillor Elections except two seats where IND candidate joint the fry. The finding shows that Majority carries the vote is actualize in this Nambol Assembly Constituency in the municipal election that it can prove Local self governance are running by the representatives of the majoritarian support.

Table 9a: Nambol Municipal Council Election (Councillors) 2016 (Nambol A/C)

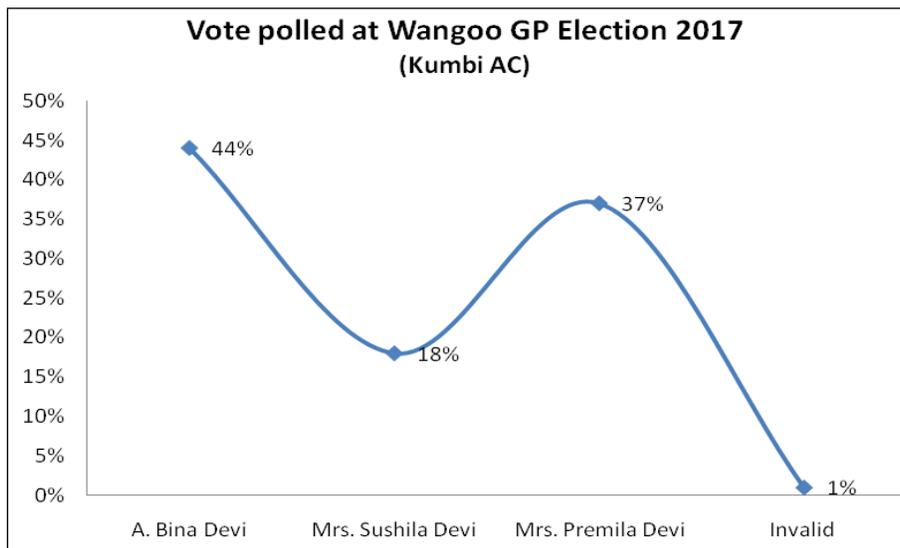
Sl	Address/ Wards	Party/ vote secured			Vote Polled	Differ ence
		INC	BJP	IND		
1	Nambol Awang	419	434 (49.7 %)		873	15
2	Laitonjam	277	304 (51%)		596	27
3	Phoijing Makha, Khori & Ph. Tongba	418	437 (43.9 %)	130	994	19
4	Nambol Makha	264	484 (63.4 %)		763	
5	Kongkham Makha	342	447 (55 %)		812	
6	Kongkham Awang	401	404 (48.7 %)		828	3
7	Sabal Leikai	559 (55.9 %)	442		999	117
8	Balaram Khul	464	521 (51.2 %)		1017	57
9	Kabowakching	331	495 (58.7 %)		843	164
10	Naorem Awang	502 (51.2 %)	453		980	49
11	Naorem Makha	354	389 (51.5 %)		755	35
12	Maibam	453 (39.4 %)	358	282	1148	95
13	Khathong	306	355 (52.5 %)		675	49
	Total	5090	5523	438		

When we look in to the matters of majority support in the local self government in the grass-root level election, most of the Gram Panchayats seats were contested by only two contestants though there were some seats were contested amongst three candidates. Wangoo Terakhong GP election 2017 of Kumbi AC (table 9b) shows that the winning candidate P. Baleshwor Singh was supported by the majority of votes with 55 percent. The same experience was also happened in the Moirang Khunou GP election 2017 (Thanga AC) that the winning candidate L. Dhaneshwar Singh has supported by the majority votes i.e. 56 percent (Pie 9d). In the case of Wangoo GP election 2017 (Kumbi AC) a reserve seat for women, the winning candidate A. Bina was supported by the minority vote in the sense that she got only 44 percent (table 9c) which is dichotomy of the theory of majority carries the vote, which implies that she will represent the total electorates of the GP (6387). But, in general elections in the local self government in Manipur are in actual democratic norms that most of the winning candidates are supported by the majority of votes except few candidates.

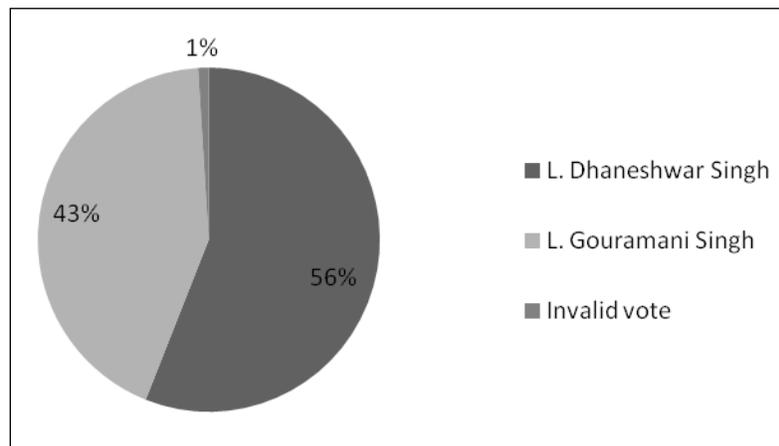
Table 9b: Wangoo Terakhong GP Election 2017 (Kumbi AC)

Sl	Candidates	Vote Secured	Vote polled	Total no of voters	% Vote Secured	Poll %	Remark
1	P. Baleswor Singh	2030	3661	3965	55.4 %	92 %	Won
2	S. Angousana Singh	1572	3661	3965	42.9 %	92 %	
	Invalid	59			1.6 %		

Table 9c:



Pie 9d: Moirang Khunou GP Election 2017 (Thanga AC)



FINDINGS

- In general most of the winning candidate can secure maximum votes as there are two contestants in most of Councillor Elections in Nambol AC except two seats where IND candidate joint the fry.
- Majority carries the vote is actualized in this Municipal Election of Nambol AC that it can prove Local self governance are running by the representatives of the majoritarian support.
- The matters of majority support in the local self government in the grass-root level election, most of the Gram Panchayats seats were contested by only two contestants though there were some seats contested amongst three candidates.
- Elections in the local self government in Manipur are in actual democratic norms that most of the winning candidates are supported by the majority of votes except few candidates.

CONCLUSION

In India, the question of morality and ethics in active politics is a big challenge that at any cost politicians wanted to hold power in their hands. To get their ends they want to be elected by any means which is changing dynamics that encourage by the present system of election. In this juncture the present study can understand somewhat the strategy of politician/aspirant candidates and their workers how they mad effort to win the election through immoral and unethical politics. This study can understand that there is a gap in between local self government election and other elections of state assembly and parliament elections. The present study shall not only

bridge up the academic gape in this area of study but also will give new insights to look in to the matter of electoral politics, how the aspirant candidates and parties took the advantage of system lapses to win election through different strategy in major elections. There is an assumption that taking the advantage of loopholes for electing majority support candidates many politicians who have understood the system lapses produce multiple candidates in the general elections though many politicians do not take much interest on the local self government elections. If this finding can influence for better election system to elect real representative of the people with majority vote (50+%) the study will have credibility. In regard to the contribution to the society, it may be noted that if there is no non-serious candidate in the fray all the electorates will take care of their franchise so as to elect only the right person to get majority of vote (50+%). On the other hand Independent candidate may not be even in the fray as their winnable chance will be very unpredictable. All the political leaders, party, candidate, workers and electors will take serious the matter of election if there is certain reformation on the electoral system to elect only the candidate who voted by majority (50+ %). What we are facing the problem in India is also one of the impacts of system lapses on selecting the right person on the fray. If the candidate won election with a few votes like less than 20% or so, the mindset of the winning candidate and his/her workers has usually dominated by the pessimist conception when there is implementation of developmental or social welfare schemes. They will make effort for next election by satisfying the few electorates who voted him. Such representative will dominate all the legislative bodies if there is no partial reformation on the mode of election. In such a situation different schemes for the welfare of society cannot implement successfully. If there is representatives voted by majority of the vote (50+%) in the legislative bodies the issues and challenges what we are facing in regard to any developmental and social schemes will definitely on the progressive way as well as it will make sense the value of democracy.

REFERENCES

- ⁱ Law Commission of India, *Electoral Reforms*, Report No.255, March 2015
- ⁱⁱ Mahesh Rangarajan and Vijay Patidar, (n.d) *India: First Past the Post on a Grand Scale*, International Institute for Democracy and Electoral Assistance, retrieved from <http://www.idea.int/esd/upload/india.pdf> accessed on 22-10-2018
- ⁱⁱⁱ Constituent Assembly Debates, *Proceedings*, 1949, Vol. VII dated 4th January, retrieved from <http://164.100.47.132/LssNew/constituent/vol7p32.htmln> , accessed on 11-10-2018
- ^{iv} La Commission of India, op cit
- ^v Madhav Godbole, Editorial, *Reform of the Political System*, Economic and Political Weekly, 2004, 39 (28)
- ^{vi} Editorial, *A case for proportional representation?* 47(11) Economic and Political Weekly; 2012 Arvind Sivaramakrishnan, Editorial, *Between Formal and Substantive Legitimacy*, 49(19) Economic and Political Weekly (2014).

- vii Rama Devi V.S. and Mendiratta, S.K. *How India Votes: Election Laws, Practice and Procedure*, 1167 (3rd edn.). 2014
- viii Studydhaba, *Electoral reforms In India since Independence*, retrieved from <https://www.studydhaba.com/electoral-reforms-india-pdf/>, accessed on 11-9-2018
- ix BYJU, *Electoral Reforms in India-a detailed insight*, 2016, September 26, retrieved from <https://byjus.com/free-ias-prep/electoral-reforms-in-india>, accessed on 11-11-2018
- x Jeetender Gupta, *Supreme Court India: Negative Voting (NOTA) Judgment*, 2013 September 27, retrieved from, <http://jeetendergupta.blogspot.com/2013/09/supreme-court-india-negative-voting.html> , accessed on 22-10-2018
- xi Nilesh Ekka, *Electoral Reforms in India - Issues and Reforms*, National Seminar on “Electoral Politics in North-East India: Analysis of 2018 Assembly Elections”, 21st April 2018 at ICSSR-NERC, NEHU Campus, Shillong.
- xii Law Commission of India, op cit
- xiii Mahesh Rangarajan and Vijay Patidar, op cit
- xiv Constituent Assembly Debates, op cit
- xv Madhav Godbole, op cit
- xvi Rama Devi V.S. and Mendiratta, op cit
- xvii Studydhaba, op cit
- xviii Studydhaba, op cit
- xix Jeetender Gupta, op cit
- xx BYJU op cit