

**CCAL Essay Competition**

**THEME:** Pathways for Electoral Reform in India

**THE ARITHMETIC OF DEMOCRACY: PATHWAYS FOR ELECTORAL REFORM IN INDIA**

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## CCAL ESSAY COMPETITION

### THE ARITHMETIC OF DEMOCRACY: PATHWAYS FOR ELECTORAL REFORM IN INDIA

The Emergency remains a warning sign for India's democracy. In *Indira Gandhi v. Raj Narain*, the Court allowed the Prime Minister to stay in office despite clear misconduct. While the decision was legal, it did not seem to represent the people's interests. The 39th Amendment shielded incumbents from judicial review and highlighted a more serious issue: when the electoral system fails to ensure accountability, legality becomes disconnected from legitimacy.

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### The Arithmetic Bias of FPTP: Disproportionate Mandates and Polarised Politics

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FPTP distorts narrow pluralities into landslide mandates. A candidate needs only more votes than others, not an absolute majority.<sup>1</sup> In 2014 a party won 31 percent of votes and had a clear majority in the Lok Sabha.<sup>2</sup> In 2019 it gained 37 percent of votes and over 55 percent of seats.<sup>3</sup> In 2024 the same party received 36.6 percent of votes yet still led a coalition with 293 of 543 seats.<sup>4</sup> Voter registration reached 968 million and turnout 642 million, but representation remained distorted. The BJP secured near-total sweeps in states like Gujarat and Madhya Pradesh while drawing minimal support in Kerala or Tamil Nadu, showing how regional saturation, not national balance, decides victory. The Congress, AAP, and regional alliances together polled more than 50 percent nationwide but remained in opposition showing how the system rewards concentrated minorities over dispersed pluralities.<sup>5</sup>

When vote share translates inconsistently, policymaking loses its link from consensus. The absence of proportional feedback weakens incentives for coalition-building and erodes federal conversation between regions. Electoral design not only determines who rules, but also how governance seems to the governed.

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<sup>1</sup> INDIA CONST. art. 81.

<sup>2</sup> Election Commission of India, *Statistical Reports on General Elections 2014* (2015), <https://old.eci.gov.in/files/category/97-general-election-2014/> (last visited Oct. 28, 2025).

<sup>3</sup> Election Commission of India, *Statistical Report on General Elections 2019* (2020), <https://old.eci.gov.in/files/category/1551-general-election-2019-including-vellore-pc/> (last visited Oct. 28, 2025).

<sup>4</sup> Election Commission of India, *Statistical Report on General Elections 2024* (2025), <https://www.eci.gov.in/general-election-to-loksabha-2024-statistical-reports> (last visited Oct. 28, 2025).

<sup>5</sup> PRS Legislative Research, Vital Stats: Profile of the 18th Lok Sabha (June 5, 2024), [https://prsindia.org/files/parliament/vital\\_stats/Profile-18th\\_LS.pdf](https://prsindia.org/files/parliament/vital_stats/Profile-18th_LS.pdf) (last visited Oct. 28, 2025).

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The Constitution provides for direct elections under Article 81 but leaves their fairness to Parliament.<sup>6</sup> The Rajya Sabha uses the single transferable vote, balancing numbers and states. In *Kuldip Nayyar v. Union of India*,<sup>7</sup> the Supreme Court upheld non-domicile candidacies, treating democracy as adaptable. In *R. C. Poudyal v. Union of India* it accepted unequal seat weight in Sikkim, reasoning that the form may vary while the essence remains.<sup>8</sup> These judgments preserve the idea of democracy yet overlook its structure. If courts recognise representational procedure as part of the Basic Structure's guarantee of democracy, reform becomes a constitutional responsibility instead of a political choice.

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### A Hybrid for a Diverse Democracy

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A hybrid model can fix what FPTP gets wrong without losing what it does well. Under MMP, each voter casts two ballots: one for a local candidate and one for a party.<sup>9</sup> Parties crossing a modest threshold receive additional seats until their share in Parliament mirrors their vote share. Ranked-choice voting within constituencies ensures majority legitimacy: if no candidate crosses 50 percent, preferences transfer until someone does. This makes every vote count and rewards broad appeal instead of narrow mobilisation.

Mixed-member systems are described as the best of both worlds, combining proportional fairness with constituency accountability.<sup>10</sup> New Zealand's 1993 reform raised turnout above 82 percent and produced more inclusive cabinets. Germany's MMP model continues to yield stable coalitions and policy continuity. These experiences show proportionality and stability can coexist.

An Indian version need not imitate Western systems. It could include regional thresholds or proportional tiers within states to preserve the federal balance while keeping local accountability

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<sup>6</sup> INDIA CONST. art. 81.

<sup>7</sup> *Kuldip Nayyar v. Union of India*, (2006) 7 SCC 1 (India).

<sup>8</sup> *R. C. Poudyal v. Union of India*, 1994 Supp. (1) SCC 324 (India).

<sup>9</sup> T. M. Joseph, *Mixed Member Proportional System as an Alternative to the Indian Electoral System*, 69 (1) *Indian J. Pol. Sci.* 186 (2008), <https://www.jstor.org/stable/41856403> (last visited Oct. 28, 2025).

<sup>10</sup> L. Leyenaar & R. Hazan, *Reconceptualising Electoral Reform*, 47 *Representation* 57 (2011), <https://www.tandfonline.com/doi/full/10.1080/01402382.2011.555974#d1e170> (last visited Oct. 28, 2025); M. S. Shugart & M. P. Wattenberg, *Mixed-Member Electoral Systems: The Best of Both Worlds* (Oxford Univ. Press, 2001).

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strong.<sup>11</sup> In the Constituent Assembly, K. T. Shah and Kazi Syed Karimuddin supported proportional systems as truer to the public will, while Dr B. R. Ambedkar opposed them for fear of instability in an illiterate nation. Those concerns made sense in 1949. They do not today. With literacy above 75 percent and advanced electoral administration, administrative difficulty no longer justifies design stagnation.<sup>12</sup>

Even in a hybrid framework, changes must come within political parties themselves. If candidate lists remain closed and dominated by leadership, proportional systems risk being the same hierarchies they aim to fix. A more transparent process where party members or regional caucuses can influence candidate rankings would make representation genuinely participatory. Strengthening the Representation of the People Act to require internal transparency would help ensure that diversity in Parliament begins with diversity within parties.

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### Technology, Ethics, and Electoral Integrity

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Technology can reinforce fairness if guided by ethics. Electronic Voting Machines (EVMs) and VVPATs improve audit trails and boost confidence. Digital roll cleaning and online registration widen access. Yet the Election Commission's autonomy under Article 324 faces cyber and funding risks.<sup>13</sup> Ethical design principles such as privacy-by-design and algorithmic neutrality is foundational for electoral modernization, ensuring that voters can verify outcomes rather than relying blindly on software. Moreover, new technologies like Generative AI can help create personalized voting experiences, but they need careful implementation within an ethical framework to protect electoral integrity.<sup>14</sup> If used properly, digital tools can make elections cleaner and more inclusive rather than opaque.

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<sup>11</sup> T. M. Joseph, *Mixed Member Proportional System as an Alternative to the Indian Electoral System*, 69 (1) Indian J. Pol. Sci. 186 (2008), <https://www.jstor.org/stable/41856403> (last visited Oct. 28, 2025).

<sup>12</sup> *Constituent Assembly Debates*, Vol. VII (1949), Speeches of K. T. Shah & Dr. B. R. Ambedkar, [https://eparlib.sansad.in/bitstream/123456789/763218/1/cad\\_01-09-1949.pdf](https://eparlib.sansad.in/bitstream/123456789/763218/1/cad_01-09-1949.pdf) (last visited Oct. 28, 2025); M. Banerjee, *Electronic Voting in India: Trust, Transparency, and Technology*, 65 J. Electoral Stud. 102144 (2020), <https://doi.org/10.1016/j.electstud.2020.102144> (last visited Oct. 28, 2025).

<sup>13</sup> INDIA CONST. art. 324.

<sup>14</sup> Mallappa Naganoor, *A Study on Electoral Reforms and Their Effectiveness in Enhancing Democratic Participation in Indian Context*, 5(7) Int'l J. Research Publication & Rev. 1141 (July 2024), <https://ijrpr.com/uploads/V5ISSUE7/IJRPR31349.pdf> (last visited Oct. 28, 2025); Press Information Bureau (PIB), Government of India, "Shri Vivek Mukherjee: GenAI could enable personalized experience," (Sept. 28, 2025), <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1993341> (last visited Oct. 28, 2025).

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Digital expansion also risks misinformation and algorithmic bias. Automated recommendation systems can amplify polarising content during campaigns. Micro-targeting, without data rules, can manipulate behaviour as effectively as gerrymandering skews geography. Future reforms should therefore explicitly link electoral law with data protection statutes to mandate transparency and public review of voter analytics and campaign algorithms. Coordination between the Election Commission and the Data Protection Board to issue a Model Code for Digital Campaign Conduct would be a crucial step in aligning privacy protections with electoral integrity.

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### **From Reform to Renewal: Implementation and Democratic Feasibility**

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Implementation should begin gradually and visibly. Pilots in one state or a few urban constituencies can familiarise voters with the two-vote ballot. Thresholds and allocation formulas may be set in statute by an independent Delimitation and Allocation Commission. Mock ballots and university workshops can teach ranked preferences, with voter-education support from the Consolidated Fund to keep it neutral. Strengthening the Election Commission's financial autonomy and enforcement powers under Article 324 remains important.<sup>15</sup> Because parties advantaged by FPTP are unlikely to yield ground, progress will depend more on civic pressure and deliberative commissions than on executive initiative.

For voters, the change would feel direct: the local ballot still chooses a person; the party ballot shapes Parliament. If a first choice falls short, a second still counts. Incentives shift to moderation and accessibility for the candidates. For Parliament, the seat map would finally mirror the vote map.

There might arise questions that coalitions may become routine; in practice they already are, and MMP would make them reflect public diversity more faithfully. Complexity may confuse voters; New Zealand's shift shows that clear ballot design and civic training keep errors low and participation high.<sup>16</sup>

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<sup>15</sup> INDIA CONST. art. 324.

<sup>16</sup> L. Leyenaar & R. Hazan, *Reconceptualising Electoral Reform*, 47 *Representation* 57 (2011), <https://www.tandfonline.com/doi/full/10.1080/01402382.2011.555974#d1e170> (last visited Oct. 28, 2025); M. S. Shugart & M. P. Wattenberg, *Mixed-Member Electoral Systems: The Best of Both Worlds* (Oxford Univ. Press, 2001).

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Reform is not anti-majoritarian; it strengthens equality of political voice.<sup>17</sup> It should travel with cleaner campaign finance, fairer media access, and faster remedies for malpractice. The Basic Structure protects democracy; representation is how that protection lives day to day. Courts and legislatures share that duty.

The Emergency's warning remains: when mandates thin and review is blocked, power corrupts. *Indira Gandhi v. Raj Narain*,<sup>18</sup> is a reminder of that drift. FPTP once enabled elections at scale; now it strains consent. An Indianised hybrid of MMP and ranked-choice voting laid out in transparency, privacy, and public trust can restore the link. Democracy's arithmetic must once again equal its promise. It would make winners majoritarian again, give smaller voices a way in, and ensure each ballot speaks for both choice and conviction.

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<sup>17</sup> The Future of Indian Elections: Between Constitutional Promises and Practical Realities; Reassessing Financial Fairness, Digital Safeguards, and Social Justice (2025), [https://www.researchgate.net/publication/396261405\\_The\\_Future\\_of\\_Indian\\_Elections\\_Between\\_Constitutional\\_Promises\\_and\\_Practical\\_Realities\\_Reassessing\\_Financial\\_Fairness\\_Digital\\_Safeguards\\_and\\_Social\\_Justice](https://www.researchgate.net/publication/396261405_The_Future_of_Indian_Elections_Between_Constitutional_Promises_and_Practical_Realities_Reassessing_Financial_Fairness_Digital_Safeguards_and_Social_Justice) (last visited Oct. 28, 2025).

<sup>18</sup> *Indira Gandhi v. Raj Narain*, AIR 1975 SC 2299 (India).