



## Why the right to recall is flawed

**Suhas Palshikar** Posted online: Wed Sep 14 2011, 03:40 hrs

In India's public discourse on organising state power, some ideas enjoy an evocative space irrespective of their feasibility or theoretical implications. The idea of right to recall is one such all-time favourite of utopian democrats who have little patience for matters of scale and level, as also matters of the democratic capabilities residing in such measures.

After having raised public sentiment against the political class in particular and the idea of politics in general, the anti-corruption agitation has indicated that it would now target the issue of electoral reform. However, instead of initiating a substantive debate on possible measures for reforming our politics, leaders of the agitation have opted to cash in on the public mood by talking about the recall measure, which could easily be a very popular demand. This popularity in turn will allow the democracy crusaders to argue that it is "popular will" that neither parties nor the government can defy. Some political parties and leaders have unthinkingly, or for short-term gains, already expressed initial support for this idea. What is wrong with this apparently "democratic" idea to call back the representative before the completion of her/his term?

Let us not spend energy and space on the practical difficulties involved in this proposal. They are so colossal, that they do not even require mention. But more importantly, an idea deserves refutation not on grounds of feasibility alone, but on grounds of its theoretical limitations for the purposes for which it is employed.

There are two possible (and interrelated) intentions behind the proposal for the right to recall. One is, of course, the ambition to "correct" the limitations and lacunae in electoral/representative democratic practice. The malfunctioning, excesses and inadequacies of representative democracy are evident and part of our political experience. So, the idea of the right to recall becomes instantly attractive as a tool to keep representatives on a leash. The other intention behind the right to recall is a hankering after some form of direct democracy and an ambition to gradually replace representative democracy with direct democracy. Among critics of representative democracy, there is strong sentiment not only against or about the practice of representation but also against the idea of representation itself. Today's proponents of the right to recall are tomorrow's radical democrats who will want to rewrite the idea of democracy itself. But they are not transparent enough to say that they fundamentally disagree with our current idea of democracy rather than disagreeing only with the current practice of democracy. By masquerading as critics of current practice of democracy, they tap the energies of a public disappointed with the ways our political class operates.

What are theoretical implications informing the idea of voters' right to recall? The stated purpose is of course to make representatives more accountable — nothing wrong about that. In the event of the provision of the right to recall, how — in what manner — will the representative be accountable and to whom? The representative will be always aware that s/he is liable to be recalled. Therefore, the representative is forced to adopt either, or a combination, of two strategies: pandering to popular prejudices and passions, and resorting to a clientelist distribution of patronage. In the process, the representative loses not only all agency but the capacity to represent anything or anybody. That takes us to the core question. Are we looking for a system of representation or a

system of delegates?

The right to recall presupposes a very narrowly constructed idea of a representative as the delegate. Besides, in actual practice, s/he is supposed to be tied down to the “electorate”— the constituency. This sounds attractive but such an idea of representation militates against the expectation that representative bodies — legislatures — should shape and articulate the larger public interest transcending the specifics of their own electorates. The proverbial hanging sword of the right to recall means that the space for a negotiated relationship between interests of the constituents and the more general collective interest will be very narrow, if not entirely non-existent. This is not only an experiential possibility emanating from the right to recall, it is the fundamental tenet — that representatives are accountable only to their electorates almost oblivious to larger responsibilities and expectations.

In this sense, the right to recall is only one little step, the larger agenda will be to dismantle the edifice of elected democracy and replace it by a democracy where citizens actually share the powers of decision-making — the representative is dispensed with. This intention is often predicated on the claims of sovereignty of the people understood in a mythical sense. Invocations of the popular will always have the potential of being a tool of radical democracy. It has also the potential of being a tool of populism against which institutionalised — though less romantic and less attractive — forms of democracy are designed as mechanisms to protect democracy from abuses of democracy.

We have a paradoxical situation here: historically, the idea of representative democracy has conservative lineage as opposed to more radical versions of popular will or popular sovereignty. Yet defying its conservative parentage, representative democracy formalised the idea of inclusion. In our current version of representative democracy, people’s power to govern themselves is operationalised within a framework that ensures political equality — one person-one vote, and free access to electoral participation are formalised. This ensures a minimum threshold of inclusiveness. In contrast, the measures of direct democracy, such as recall, can easily be the less inclusive ones. While giving more power to (some) people, it presents us with possibilities of not including those citizens who choose to be less politically alert, less politically engaged. The Athenian model of “citizen” is indeed a model that the gentry can afford to emulate.

So, the “people” whose voice direct democracy will structurally facilitate, can very easily be less than the sum total of the real people — they would only be people who have the wherewithal of articulating the dominant voice. It is in this sense that the idea of representative government produces democratic politics while measures of direct democracy are fraught with less inclusive and more forbidding practices of elite politics.

In the upcoming debate on the right to recall, we need to be aware of this paradoxical dimension that romanticisation and radicalisation of the idea of democracy is easier than consolidation of formal, institutional and political idea of democracy.

*The author teaches political science at the University of Pune*