

# **POLITICAL EFFECTS OF FIRST PAST THE POST ELECTORAL SYSTEM IN DIVIDED SOCIETIES**

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## **Abstract**

This paper aims to show that First Past the Post electoral system can have different from expected political consequences in divided societies. The Westminster model as a result of strong majority principle is not the only possible outcome of this electoral rule.

On the basis of the case of India it shows that FPTP electoral system gives chances for the development of multiparty system and other elements of the consensus model. The research and the argument is based on empirical information about the number of parties, proportionality, type of the cabinets and others, described as basic elements of the consensus model by Lijphart. This information in the form of indices is compared with the well-based models of Westminster pattern of democracy.

As a second point the paper discusses the contradictions to the Duverger's law as it is the basis of the theoretical framework explaining the effect of the electoral systems. A different level of analysis reveals that these contradictions at first sight are not actually so falsifying Duverger's law.

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## Introduction

Electoral systems are often perceived as the basic mechanism for regulating and managing the whole political system and its elements. This assumption comes from the idea that the model of the modern democracy is a representative one. All the citizens choose their delegates in order to give them the specific task of ruling and governing. This process of governing on behalf of all involves constructing policies and taking easy or hard decisions. The impact of the electoral system in this process can be found in numerous aspects. The simplest and most technical aspect of the electoral system is to convert the votes into parliamentary seats. What is important here is the fact that the different electoral systems conduct this task with different results. One and the same number and structure of votes can lead to different compositions of the assembly. There are many examples described in the literature and seen in real life how this specific transforming of votes into seats can change the policy-making. As having our delegates constructing policies is the ultimate goal of the whole process of voting and representation, it is obvious that the characteristics of the electoral systems are very important for the quality of modern democracy.

Besides this influence on composition of the assembly and the indirect influence of policy making, electoral systems have other effects. They also shape the nature and character of the political parties. Electoral systems have their impact on the number of parties within the party system. It is largely due to their influence whether there are 2, 3 or more main actors in the political arena. This also determines the political character of the parties and their positioning within this arena.

We can find another impact of electoral systems. And this is the function of these rules to determine, at least partially, the set of options for the voters to hold their representatives

accountable. The system can give chance for personal loyalties and personal accountability, or for party responsibility. It can give the option for easy outvoting or for a type of strategic voting. One other very important effect of electoral system is characterized by its role within the process of selecting and structuring the political elite. Via determining the rules of voting and selecting the assembly it is the structure of the political elite that is determined. It can be based on personal qualities, on party loyalties, the delegates can be dependent on national or local vote, and they can have different kind of influence.

We can see that electoral systems affect both ends of the political system – the input and the output. All these characteristics of electoral system lead to different type of quality of democracy. What is more, because of their influence of particular policies it can change the quality of life.

This is even more important in the cases of divided societies. There the process of political representation is more complex and can get problematic. The type of electoral system can be a hurdle for the representation of some of the groups. It can also favor or not the establishment of parties that represents a small group with so called particularistic aims.

As a final consequence the integrity of a country and the stability of a democratic regime can be put under threat. The compatibility between these electoral rules and the environment they are implemented is also a very important factor. The vast majority of the research in this area concentrates on comparisons between the effects of the different types of electoral system. Another part focuses not on the electoral system but on the elements of consensus models in different states, again in comparative perspective. The aim of this paper is to explore the

possibilities of one particular electoral system – First Past the Post to produce different results in interaction with the local specific factors.

### **Hypothesis and basic points of the paper**

The paper will claim and test the hypothesis that FPTP system can have different and specific effects, not similar to the general theory and the Westminster model. This electoral system does not directly lead to majoritarian model – a restricted two-party system, one-party cabinets and excluded minorities. This is a result of the systematic influence and impact of federal structures and diversity. The FPTP system can – under these specific circumstances - stabilize or destabilize a political system, produce some of the elements of the power-sharing process.

### **Methodological approach**

The paper aims to show the possibilities of a different effect of FPTP electoral system. It will be based on a comparison of the outcomes of the electoral systems. The central principle is Duverger's rule. This rule connects the type of electoral system and their outcome. There are two basic assumptions in the paper. The first one is that PR produces high number of parties, using Duverger's rule. And in that way these systems establish institutions for power-sharing. The second assumption is that FPTP produces a two-party system and creates Westminster model, not consensus model and power-sharing.

The independent variables are first, the type of electoral system – a variant of PR or FPTP and secondly, the presence of the intervening factors – principle of division which gives chances for the minorities to participate effectively in decision-making and to maintain relatively homogenous constituencies and on the other hand a consensus character of the leading parties. The usage of one or the other type of electoral systems is determined by the case that will be explored. The presence and the character of the intervening factors will be determined on the basis of the analysis of the genesis of the party system. The principle of separation will be revealed on through empirical examples and study of the basic reasons behind it. This information is taken from the existing literature and previous research done by many authors like Arend Lijphart, Antony Heath, Kothari and Weiner.

Duverger's rule is one of the main consequences of the two different families of electoral systems and at the same time it is a starting point of the patterns of democracy – Westminster and consensus. Having that in mind, the first dependent variable under study is the number of political parties that is produced by the system. This will be measured by the index “effective number of parties”. The data for its development in different political systems can be easily estimated or for greater reliability obtained from existing data sources. In this paper it is taken from Michael Gallagher's web site – a popular data source in electoral research that is accurate and credible enough.

The second variable that is quite significant for the hypothesis of the paper is the presence of power-sharing. This will be explored on the basis of Lijphart's explanation about the elements of the power-sharing.<sup>1</sup> These elements are: grand coalition cabinets, proportionality (or disproportionality) of the electoral system and representation, opportunities for minority veto

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<sup>1</sup>Arend Lijphart, *The Puzzle of Indian Democracy: A Consociational Interpretation*, *The American Political Science Review*, Vol. 90, No. 2, Jan., 1996

and presence of autonomy. The first element will be assessed via two indirect mechanisms. Initially, this can be achieved by analyzing the local party phenomenon and local parties' participation in politics. The second way of evaluating grand coalition issue is through one of the main traits of grand coalitions that are described in theory – instability and low duration of these cabinets. The index for average cabinet duration can give information about this characteristic of the grand coalition governments. It could be estimated from the data about the governments and their duration in the last 50 years. This is taken from the existing literature.<sup>2</sup>

The level of proportionality of the elections will be measured by the index of disproportionality constructed by Michael Gallagher. The data is obtained from his works and data set. The last two elements of power-sharing – minority veto and autonomy are connected with certain institutional arrangements. These provisions will search for in the text of the Indian constitution. It is available in English on the web site of the Indian government.

In order to achieve this I will establish the connections between the main theoretical concepts in the first part of the paper. The first one is Duverger's rule which will be shown with its basic revisions as they are important for the whole model. The second theoretical point is the two patterns of democracy developed by Lijphart. The Westminster and consensus models are based on the two basic types of electoral system – PR and majoritarian. The last point connected with the theoretical explanation of the assumption that FPTP has negative impact in divided societies. Using these three theoretical concepts there I will build a theoretical model which puts the theoretical expectation about the effect of FPTP in divided societies.

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<sup>2</sup> See M. I. Ahuja, *Handbook of General Elections and Electoral Reforms*, (New Delhi: Mittal Publications, 2000)



## Case study

The second part of the paper will be based on the case study of India. It is often argued by political scientists whether India is such a big exception of the theoretical framework. That is why it represents a good opportunity for analyzing the effects of FPTP. First, the Indian society is one of the most heterogonous in the world with its deep separating lines and conflicts. Secondly, despite this immense diversity and heterogeneity, India is still considered to be a democratic state. It fulfils the basic requirements for stable democracy – open, fair and frequent elections, associational autonomy and voting equality. As India is a huge and very diverse country the analysis should be restricted in both time and scope. First, it will be based on the period after 1946 – the independence of India. Certainly, India can be an object of analysis as an independent political system only in the last 60 years. Secondly it is important that the there are also restrictions to the scope of analysis. India is a federal structure and comprises of 36 states and territories. In many cases they are too specific and versatile both in terms of population and political circumstances. That is why the analysis will be based on India as a national political system, without going too much into the different states. Thus it will be possible to base the analysis on a reasonable set of empirical data about results of elections and the main indicators of the political system.

At every stage of the paper I will make short references to Northern Ireland as a different example of a divided society using the FPTP electoral system. It will present the path of development that is described by the theoretical framework.

Northern Ireland is a complex case. During the long period of “the troubles” there were numerous attempts for changes and failures to establish different elements of consensus. Many scientists argue that these problems were actually a consequence of the majority rule effects of Northern Ireland. It is impossible to see the effect of FPTP during the whole period.

This is why the main focus will be on the period from 1929 till 1973. This is so for several reasons. First, in 1920 under the Government of Ireland Act Northern Ireland and Southern Ireland were formed. Southern Ireland eventually became the Republic of Ireland. The separation of these territories actually reinforced the “divided” status of Ireland. It gave birth to the contemporary state of the Irish case. Secondly, during the period 1929 – 1972 FPTP is the main electoral system that was operating in the territory for electing representatives (except local elections). In 1973 with the Sunningdale Agreement and Northern Ireland Assembly Act a STV electoral system is established for electing representatives for Northern Irish Parliament. Third, since 1973 various attempts to implement consensus model started in Northern Ireland. As the aim of the paper is to deal with the effects of FPTP electoral system in divided societies and to explore the possibilities of this particular electoral system to produce consensus effects, all references to Northern Ireland that are made in the paper should be restricted to these time margins.

## 1. Theoretical framework

There are three main theoretical points. The first is the Duverger's law which puts the rule for regulating the number of parties in the party system. The second point is the Lijphart's models of democracy – Westminster and consensus. The third point is the argument that the Westminster model of democracy is dangerous for divided societies.

In 1951 Duverger published his book "Les Parties Politiques". The main idea of the book is that there is sufficient evidence from electoral results in many countries that the plurality type of electoral system generates a two-party system. This book summarized the efforts of many scientists for the last 70 years before its publishing. What Duverger really adds is the empirical data that support the initial hypothesis. So the law reads that: the simple majority single ballot system favors the two-party system.<sup>3</sup>

Many scientists in the last 50 years claimed that Duverger's law has many shortcomings and it so not scientifically valid. William Riker<sup>4</sup> and Douglas Rae<sup>5</sup> are among those critics. They test the law in their own cases and find that there are some counter examples to this rule. In his article "Duverger's Law revisited"<sup>6</sup> William Riker tries to reformulate Duverger's law and Duverger's hypothesis<sup>7</sup>. He makes a clear distinction between the law and the hypothesis of Duverger. Riker refers to the statement that "the simple majority single ballot system favors the two party system" as Duverger's law. According to him the Duverger's hypothesis is: the

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<sup>3</sup> William H. Riker, Duverger's Law Revisited, in Electoral Laws and Their Political consequences, (New York: Agathon Press, 1986), 19 p.

<sup>4</sup> William H. Riker, Duverger's Law Revisited, in Electoral Laws and Their Political consequences, (New York: Agathon Press, 1986)

<sup>5</sup> Douglas Rae, The Political Consequences of Electoral Laws, (New Haven: Yale University Press, 1971)

<sup>6</sup> The article is excerpted from the author's paper "The two-party system and the Duverger's law: An essay on the History of political science"

<sup>7</sup> William H. Riker, Duverger's Law Revisited, in Electoral Laws and Their Political consequences, (New York: Agathon Press, 1986), 19 p.

simple majority system with second ballot and proportional representation favor multipartism.<sup>8</sup> Actually this is just a reference to Duverger's book which is already well accepted in the field of the political theory. According to the author the Duverger's contribution is that he first clearly distinguished the law from the hypothesis. Before that the two statements were often mistaken of duals of each other.<sup>9</sup>

Riker also tests both the hypothesis and law of Duverger. He makes a review of the rational basis of the assumption that a proportional system and a two-ballot majority system favor multi-party system. So he makes the conclusion that Duverger's hypothesis "can not be deterministically valid, although doubtless there is a fairly strong probabilistic association".<sup>10</sup> Testing Duverger's law Riker also finds some incompatibilities. The unusual cases are related with countries with extreme decentralization. On the basis of that explanation both Riker and Rae come up with the revision of Duverger's law. In order to achieve a more of a deterministic formulation Riker revises Duverger's law as follows:

Plurality election rules bring about and maintain two-party competition except in countries where third parties nationally are continually one of two parties locally and except countries where one party among several is almost always the Condorcet winner in elections.<sup>11</sup>

Giovanni Sartori is another scientist who writes on Duverger's law. The main problems of the Duverger's law pointed out by Sartori in his article "The influence of Electoral Systems: Faulty Laws of Faulty Method?"<sup>12</sup> are in three basic areas. The first is the distinction between causality and a simple relation between two variables. Sartori is convinced that a law-like statement should be based on strong causality which is not the case with the formulation of

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<sup>8</sup> William H. Riker, *Duverger's Law Revisited*, in *Electoral Laws and Their Political consequences*, (New York: Agathon Press, 1986), 19 p.

<sup>9</sup> Ibid. 21

<sup>10</sup> Ibid. 30

<sup>11</sup> Ibid, 32

<sup>12</sup> Giovanni Sartori, *The Influence of Electoral Systems: Faulty Laws of Faulty Method*, in *Electoral Laws and Their Political consequences*, (New York: Agathon Press, 1986)

the Duverger's law. The second objection of Sartori is that there is no specification and separation between effect and cause. That is actually a consequence of the first objection. The third basic objection is a pure scientific problem. It is that Duverger does not give any rule of counting the parties into the party system. This is a logical objection of Sartori because he is famous for developing a very specific model for counting the political parties in the party system. He is however implementing this model in this article in order to explain and solve the problem. The specific approach of Sartori is taking into account the nature of the political system and its polarization.

Sartori distinguishes two types of influence of the electoral system. It is the effect of the electoral law on the party system and the influence on the voter. Electoral systems can have constraining or not constraining influence. The systems that exert influence are strong systems. Those which do not have such influence or minimal one are feeble electoral systems.<sup>13</sup> Plurality systems are strong because they clearly restrain the behavior of the voter. Sartori puts some forms of PR (proportional) in "feeble" section of electoral formulas. PR systems are very dependent in their constraining effect on their proportionality. Proportionality is a result of the size of the constituency. So PR systems which are disproportional are referred to as mixed – strong-feeble.<sup>14</sup>

The party system has also some manipulative effects. They can also be divided to two groups – structured and non-structured party systems. When the voter is personality-orientated and parties are of little importance for the vote, the system is not structured. When even in a plurality system, the party is perceived as a secure political route, and the allegiance is given to parties not to personages, we call that party system structured. So plurality systems have no

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<sup>13</sup> Giovanni Sartori, *The Influence of Electoral Systems: Faulty Laws of Faulty Method*, in *Electoral Laws and Their Political consequences*, (New York: Agathon Press, 1986), 54

<sup>14</sup> *Ibid.*, 56

influence on the number of parties until the party system is structured and on the condition that we have mass parties not notables parties.<sup>15</sup>

Although Sartori, Rae and Riker started from different positions they reached nearly the same conclusions. The first important revision is about the specific influence of the local parties. The second important revision about the importance of structured party system is made only by Sartori but it can solve the counterexamples found by Riker and Rae. So the basic conclusion is that this discussion on the law and hypothesis of Duverger brings some very well grounded revisions of the two statements. What is more, in spite of the really harsh critique of Sartori, it is obvious that Duverge's law that plurality system favors a two-party system and the PR removes the obstacles to multi-party system (this is the so called hypothesis of Duverger) is still valid. As a final conclusion, these revisions can be used for explaining some cases determined like "counterexamples".

The second theoretical point dealing with the effects of electoral system is made mainly by Arend Lijphart. He makes the connection between the number of parties and the electoral system on the one hand, and their political effects on the other. In "Patterns of Democracy" he constructs two basic models of democratic rule.<sup>16</sup> These are Westminster (or Majoritarian) model and Consensus model. The basis of these modes is the electoral system – plurality or PR.

Westminster model, according to Lijphart is pointing to the main characteristics of the British political model. There are several very important traits of this model. First, the power of the

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<sup>15</sup> Giovanni Sartori, *The Influence of Electoral Systems: Faulty Laws of Faulty Method*, in *Electoral Laws and Their Political consequences*, (New York: Agathon Press, 1986), 55 p.

<sup>16</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999)

executive is concentrated in one-party cabinets. These cabinets rely on a narrow majority but on the other hand there is a relatively large minority. This is actually the essence of the majority rule. It gives the great amount of the power for governing to the group that is not an overwhelming majority.<sup>17</sup> This leads to the situation that a large minority is in practice excluded from power.

Another important trait of this model is the two-party system. What is specific here is that this party system produces parties that have mainly a one-dimensional character in representing the citizens' interest. In the case of United Kingdom, this is best expressed by the socio-economic scale – left and right. The basic consequence from this is that these parties do not represent differences in such areas as ethnicity, language and religion.

A very important point in the model is the majoritarian electoral system. According to Lijphart it is very disproportional and thus it can produce the so called manufactured majorities<sup>18</sup> which imply that there is a possibility for a minority of the electorate to elect majority of the representatives. He also argues that in this majority rule there is a principle of exclusion. The losing parties are out the government and can criticize. He constructs two principles that support the democratic character of this model. First, this is the possibility in a two-party system for a frequent alternation of the two parties in power and government.<sup>19</sup> This actually can solve the problems with the exclusion of the opposition group from power, as it has the good opportunity to be in the government in the next term. The second principle is that in a homogenous society with two-parties and one-dimensional representation most of the parties are located around the center of the scale. So they have similar policies and the party

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<sup>17</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999), 10 p.

<sup>18</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999), 14 - 15 p.

<sup>19</sup> *Ibid.* 31 p.

in power can still serve reasonably the interests of the voters of the opposition party.<sup>20</sup> In less homogenous societies there is sharp separation along linguistic, religious lines. That means that the parties' policies can diverge. The voters' loyalties are more rigid and that decreases the chances for the parties to alternate in power.<sup>21</sup>

Thus Lijphart builds an opposition between the majority principle in Westminster model and the effects of the Consensus model. The most important differences are in several areas. First, this model relies on consensus principle in government. That means that most important political parties in the political system share power in broad coalitions. The government is no longer based on narrow parliament majority. It is important here to point out that the opposition between the types of cabinets is not so simple and technical. This is also related with the idea that majoritarian model and the consensus model actually present the two options for the political system of the divided societies. This is the hard choice between political stability and the aim for inclusiveness of all minority groups. It is based on several basic assumptions. First is that the majoritarian electoral system and Westminster model do not provide enough options for the small groups to be represented and to participate in the political process. The fragmentation of the party system and the high multipartism will cause coalition governments with many partners. This is not the case with the majoritarian model and FPTP system. The coalition characteristic is assumed to cause short durability of the cabinet and the lack of clear policies and accountability. On the other hand, Westminster style cabinets are not dependent on many small parties but on just one and are supposed to be more stable.

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<sup>20</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999), 32 p.

<sup>21</sup> *Ibid.* 32 p.



The other element of the consensus model is the multiparty system. According to Lijphart this is caused by the numerous cleavages in these plural societies.<sup>22</sup> This causes the multidimensional character of the party systems in such kind of societies. It is also the proportional representation that is favoring that. PR is one the basic elements of the consensus model. Its function is to retain the proportion and the structure in the votes in the allocation of parliamentary seats without penalizing the small parties.<sup>23</sup> This aims inclusion of all segments of the society.

On the basis of the comparison of these models comes the third theoretical point. Even Lijphart in the process of constructing these models says that “majority rule is not only undemocratic but also dangerous”<sup>24</sup> if implemented in divided societies. In such societies in situation with continuous denied access to power to the minority the model establishes majority dictatorship. According to some scientists this undermines the allegiance to the state. It eventually leads to heavy conflicts and often session. The basic conclusion is that in divided or heterogeneous societies the majority rule (meaning electoral system and procedure for forming the cabinet) with its excluding principle has a rather negative effect. The emphasis should be on consensus not on opposition. As Lijphart points out, in these societies there should be established a more inclusive principle in order to maximize the ruling majority.<sup>25</sup>

According to this theoretical framework the current FPTP electoral system of India is not the proper one. Theoretically it results in a rather excluding effect and puts high hurdles for the smaller group of the society to participate effectively in the governing process. India is one of

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<sup>22</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999), 36 p.

<sup>23</sup> *Ibid.*, 37 p.

<sup>24</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999), 32 p.

<sup>25</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999), 34 p.

the most diverse states with numerous linguistic and religious cleavages that produce a good number of minority groups. It is expected under this electoral system India to be one of the most unstable democracies with no elements of consensus and power-sharing.

## 2. Factors that alter the FPTP effect (Local specific factors)

### 2.1. Linguistic separation

Some scientists claim that India is a nation without a national language.<sup>26</sup> This puzzle leads to one of the specific factors that alter the effects of the different political and institutional settings in India as a divided society. As India is a federation there should be a criterion, a principle for separation and division of the states. In India this is the so called cultural-linguistic principle for determining the boundaries. There should be a principle that is still working in this diverse arena of linguistic, ethnical, social, religious differences. The main point that this cultural-linguistic principle takes into account in forming the states is the boundaries of the linguistic groups. Thus it achieves a linguistic homogeneity within the new formation. For instance, according to this logic the province of Bombay established by the British, was divided into two separate states. The Marathi-speakers are in the state of Maharashtra and the Gujarati-speakers are in the state of Gujarat. In the state of Tamil Nadu the language is Tamil, whereas in West Bengal 68.1 million people speak Bengali.<sup>27</sup>

The basic rationale behind this principle of separation leads to two important points. First this is the majority status. India is a very heterogeneous country and its national unity should be based on some kind of homogenous unit. Via this principle of separation the federation accomplishes this status. Besides this, it is important to point out the effect for the cultural-linguistic groups. Each of these groups receives a majority status within their own state. Thus they have the power of self-policing.<sup>28</sup> So in this sense they are politically included, as they

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<sup>26</sup> Anton Pelinka, *Democracy Indian Style*, New Jersey: Transaction Publishers, 2003)

<sup>27</sup> Source: M. I. Ahuja, *Handbook of General Elections and Electoral Reforms*, (New Delhi: Mittal Publications, 2000) seen in Anton Pelinka, *Democracy Indian Style*, (New Jersey: Transaction Publishers, 2003)

<sup>28</sup> Anton Pelinka, *Democracy Indian Style*, New Jersey: Transaction Publishers, 2003), 221 p.

can determine within themselves who is in power. The other option is to determine that in opposition with another group which can lead to exclusion.

The second point that comes as a consequence from the linguistic principle of separation is the effect of restricting the influence of religion as a determining factor in politics. As the boundaries of the linguistic groups and states do not coincide often with the boundaries of the religious groups the linguistic and religious identities do not go hand in hand. After the separation of Pakistan on a clear religious basis it was obvious that religion can not be the main factor for founding the new nation. This kind of setting the boundaries of the states led to the situation that the states are different in size. One of the biggest states Bihar is around 200 times bigger in population than the state of Sikkim.

Due to the implementation of the linguistic separation India accomplishes two aims. First the nation building process finds a relatively homogenous unit to lean on. Secondly, this linguistic separation tries to diminish the role of religion as a determining factor.

Having the Indian model a principle of separation should give a chance for effective political participation of minorities. This means that they should have good and plausible opportunities to elect their own representatives. The model works when there are constituencies in which this significant minority group is actually majority. Secondly, this is diminishing the constituencies in which one of the groups is continuously rejected a chance for electing its own representative and thus excluded from political representation.

The first problem for establishing such principle is that the two communities are intermixed.<sup>29</sup> And as the period on focus is between 1929 and 1973 there is no sufficient and comprehensive data from elections it is difficult for them to be clearly separated in respect to administration and electoral constituencies.<sup>30</sup> The other problem is that most of the materials that are written are biased as a result of the sharp confrontation. John Whyte publishes a paper with the aim to explore and study the mechanisms and level of the discrimination of the unionist regime against the Catholic minority. Relying on both unionist and nationalist sources, he reveals that one of the main mechanism for political domination and discrimination was the electoral practices. On the basis of these different analyses he argues that gerrymandering is perceived as a mechanism of discrimination.<sup>31</sup> One problem for assessing whether we can find a favorable for minority principle of separation similar to the Indian one is the numerous cases of changing the boundaries of the parliamentary constituencies in Northern Ireland. As Frank Gallagher argues this is made with certain political aims and can be considered as gerrymandering in favor of the majority.<sup>32</sup> Osborne explored three of the counties with complaints for gerrymandering for the elections in 1929. He found that there could have been a change in favor of the majority in Armagh. He also found that this was certainly the case with Fermanagh where the nationalists gained only one from three seats.<sup>33</sup> These different analyses show that the two communities are intermixed and the majority is using gerrymandering for establishing a greater electoral profit. Whyte concludes that this is only one of the mechanisms that actually made it more difficult for the minority to be politically included effectively. This leads to the conclusion that in the case of Northern

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<sup>29</sup> Arend Lijphart, *The Framework Document on Northern Ireland and the Theory of Power-Sharing, Government and Opposition*, Vol. 31, Issue 3, July 1996, 270 p.

<sup>30</sup> This is an argument of Lijphart, see *The Framework Document on Northern Ireland and the Theory of Power-Sharing, Government and Opposition*, Vol. 31, Issue 3, July 1996, 270 p.

<sup>31</sup> John Whyte, *How much discrimination was there under the unionist regime, 1921-68?*, (Manchester: Manchester University Press, 1983)

<sup>32</sup> Frank Gallagher, *The Indivisible Island: the Story of the Partition of Ireland*, (London: Gollancz, 1957)

<sup>33</sup> Robert Osborne, *The Northern Ireland parliamentary electoral system: the 1929 reappportionment*, *Irish Geography*, Vol. 12, 1979, 42-56 p. seen in John Whyte, *How much discrimination was there under the unionist regime, 1921-68?*, (Manchester: Manchester University Press, 1983)

Ireland there is no favorable for the minority principle of separation of the two main communities in terms of electoral constituencies or administration. What is more, these mixed districts are under the domination of the majority.

## **2.2. Emergence of Indian Party System and the Role of Congress Party**

The establishment of the Indian party system should be clearly connected with the Indian National Congress. This political party is actually determined by many scientists and historians as the continuation of the Indian independence movement. This is important because this role of the party shaped its political position. Consequently as the party was the only dominating factor in the Indian party and political system for more than 30 years it also shaped its environment. The Congress established the Indian state and in the first years after the British departure and independence it was of great importance for the party and India to maintain the integrity of the state.

The Congress party was established in 1885 as an intellectual movement. After the First World War it was transformed into a mass movement for independence. It developed into a political party with all its organizational structures during the 1930's. In the period between this year and independence in 1947 it managed to form a very stable and well known profile. It became the symbol of the independence movement and the main actor in that struggle.<sup>34</sup>

The Congress party took its support from all the strata of the Indian society. According to Kothari, this should not be seen as an equivalent of the contemporary European parties that work on a catch-all basis. In that sense the aim of the party was not just to maximize its vote,

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<sup>34</sup> Antony Heath, Glouharova, S., India: Two Party Contests within a Multiparty system, in *The Politics of Electoral Systems*, ed. by M. Gallagher and P. Mitchell, (Oxford: Oxford University press, 2005), 138 p.

but to set up a process of national integration in India.<sup>35</sup> Jawaharlal Nehru, a prime minister from the moment of independence till his death in 1964, was one the leaders that established this special character of the Congress party. He allowed the style of compromise and bargaining between the center and state-level factions. The state-level factions are actually the numerous minorities groups that comprise the great diversity of India and at the same time establish the difficulty for unitary state and a single Indian interest. The party accepted an all-Indian character trying to unite the great Indian diversity in one party and one state. This diversity was partly reproduced within the Congress party itself. Kothari gives a good description of the system of the Congress party. It was “an elaborate system of fractions at every level of political and government activity”. These fractions based on individual leadership were built around “a functional network consisting of various social groups and leader-client relationships”.<sup>36</sup>

This type of integration of different interests within the party can be seen as the basis for the power-sharing process at a state level in this initial phase of the development of the Indian party system. Lijphart is one of the scientists that point out the role of the Congress party for the specific effects of this political model based on FPTP. He explains that the manufactured majorities of the Congress in the Lok Sabha in the period after independence were not at the expense of India’s many minorities. On the contrary, the repeated cabinets of the Congress “have accorded shares of ministerships remarkably closely to proportional”<sup>37</sup> among the small linguistic and religious groups. Thus the internal structure of the party was actually based on the leadership – local or central. This specific trait of the Congress party that helped it to take

<sup>35</sup> R. Kothari, The Congress “System” in India, *Asian Survey*, 4: 1161-73, seen in Antony Heath, Glouharova, S., *India: Two Party Contests within a Multiparty system*, in *The Politics of Electoral Systems*, ed. by M. Gallagher and P. Mitchell, (Oxford: Oxford University press, 2005), 138 p.

<sup>36</sup> R. Kothari, The Congress “System” in India, *Asian Survey*, 4: 1161-73, seen in Antony Heath, Glouharova, S., *India: Two Party Contests within a Multiparty system*, in *The Politics of Electoral Systems*, ed. by M. Gallagher and P. Mitchell, (Oxford: Oxford University press, 2005), 150 p.

<sup>37</sup> Arend Lijphart, *The Puzzle of Indian Democracy: A Consociational Interpretation*, *The American Political Science Review*, Vol. 90, No. 2, Jan., 1996, 263 p.

the character of an “umbrella party” and to have a distinguished profile of an all-Indian party actually brought some problems.

The strong leadership caused many internal splits within the Congress. This specific characteristic of the Indian party life confirms one of Sartori’s revisions of Duverger’s law. In this situation the personal loyalties turned up to be stronger than the party’s loyalties.<sup>38</sup> However, this had its important consequences for Indian political life that will be discussed later in the paper.

The Congress party and its leaders managed to accomplish their main aims. They established the federal structure and opted for a specific linguistic principle for separation of the Indian states, maintained the integrity of the country at the British departure. According to Sebastian Schwecke there is one important factor for all these actions and this is the separation of Pakistan with part of the Muslim minority.<sup>39</sup> With the separation of Pakistan the leaders of the other political group in British India – the Muslim league – also left. This is important because this separation first, left the Congress all alone in the post-British India’s political scene in practice, secondly, did not allow the formation of strong political parties organized around the interest of the Muslim population apart from some regional exceptions. Third, this showed the Congress leaders that India can be easily separated by its internal cleavages. So the Congress had enough space to push for linguistic separation and to establish itself as “catch all Indians” party.<sup>40</sup> What is more this “all-Indians” philosophy was the basis of the power-sharing and minority representation principle in contemporary India.

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<sup>38</sup> Giovanni Sartori, *The Influence of Electoral Systems: Faulty Laws of Faulty Method*, in *Electoral Laws and Their Political consequences*, (New York: Agathon Press, 1986)

<sup>39</sup> Sebastian Schwecke, *An Introduction to the Indian Party system*, in *Rising India – Europe’s Partner*, (New Delhi, 2006), 56 p.

<sup>40</sup> Sebastian Schwecke, *An Introduction to the Indian Party system*, in *Rising India – Europe’s Partner*, (New Delhi, 2006), 57 p.



Indian party system for the period between 1947 and 1977 can be described as a system dominated by one party, a nearly one-party model. The hegemony of the Congress party is best presented by its role in the governments for that period of time. For the period of nearly 30 years the party managed to win 2/3 majority of the seats on nearly all elections for Lok Sabha. Consequently the Congress managed to stay in power with one-party cabinets for this period. The end of this Congress hegemony came in 1977 when Janata Party, a predecessor of Bharatiya Janata Party, managed to unite all opposition parties in an alliance. This was the first time after independence when the Congress was in opposition.

The other important fact is that at this particular moment a new contender for the political power evolved. This was the Bharatiya Janata Party (Indian People's Party). The basic ideological trait of the new party is to be skeptical of the claims of the different minorities in India and to express as a Hindu nationalist party. This ideological basis of BJP provides the idea of it as an alternative to the Congress' policies. This position of BJP reinforces Congress position as an "umbrella party" for all Indian minorities. The second consequence is that at that moment the Indian party system changed from dominated by one party to a multiparty system in progress.

So the nature of the Congress party as a party of the independence movement managed to retain its basic role into the party system after independence. The profile of the party as a main actor of the independence movement and the philosophy of its leaders – Nehru and Gandhi, provided it with the role of an all-Indian party with support from all strata of the society. The aim of establishing all nation ideology of the party was the reason for emergence of a kind of power-sharing structure at party level. This specific process was the basis of the

power-sharing process at national level. Thus the character of the Congress party becomes an important factor for the effects of the FPTP in India.

Generally consensus is not a basic trait of the Westminster model and FPTP. In Northern Ireland the idea of consensus comes after the long period of the so called “the troubles”. Most of the researchers describe the period from 1920 to 1973 as a period of Protestant domination over Catholics.<sup>41</sup> It is difficult to find this type consensus leadership as seen in the period of emergence of Indian party system.

One of the basic reasons for the absence of consensus leadership at party level is in the character of party struggle in Northern Ireland in the period between 1929 and 1973. As many authors argue political parties in Northern Ireland are formed along the ethnic and religious cleavages in the society. Although the basic separation is between unionists and nationalists it is religion that is a main factor in that opposition. As it is well known most of the Catholics are predominantly in favor of the nationalistic idea and separation. On the other hand, the Protestants are in the large majority unionists. This religious cleavage that is staying behind the separation of the party system is the basic problem of the consensus in Northern Ireland. As Lijphart and O’Leary point out political parties, especially in that period of sharp confrontation between the two communities, are using this separation.<sup>42</sup> What is more, political actors are trying to reinforce this cleavage as it one of the building stones of the party loyalties in Northern Irish party system. This means that consensus as an issue was not rational for the leadership of the parties at that moment. The problem is that putting the political problem on a religious basis actually sharply diminishes the chances for consensus.

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<sup>41</sup> John Whyte, *How much discrimination was there under the unionist regime, 1921-68?* (Manchester: Manchester University Press, 1983)

<sup>42</sup> Arend Lijphart, *Review Article: the Northern Ireland Problem; Cases, Theories, and Solutions*, *British Journal of Political Science*, Vol. 5, No. 1, Jan. 1975, 83-106 p.

So unlike India, Northern Ireland is not a case of consensus established on the level of party leadership.

### 3. High Number of Parties on the Basis of FPTP

This part of the paper will illustrate how these two factors – on the one hand - specificities of the party system – consensus leadership and on the other - linguistic separation – actually alter in practice the theoretical effects of FPTP. The number of parties is both a basic consequence of Duverger's rule and a basis of the Westminster and consensus model. In that sense it is important to analyze what is the impact and what is the mechanism of influence of these two factors on the number of parties within the system.

The basis of the theoretical model that is built in this paper is Duverger's rule. Its main consequence is the establishment and maintaining of a two-party system. The simple number of parties in the parliament can not be a good indicator for the relevant political parties in the party system. I am going to use the index for effective number of parties, invented by Rein Taagpera and Markku Laakso. It is constructed on the basis of the structure of the votes. The index can use either parties' shares of popular vote or their share of seats in the parliament. The biggest advantage of these calculations, proposed by the two scientists, is that it combines information about the number of parties and their relative strength in the party system. As additional result it gives information about the fragmentation of the party system. The basic formula for the index based on shares of the votes is  $N_v = 1 / \sum (P_v)^2$ .<sup>43</sup> In this formula  $P_v$  is the share of votes of one of the parties. The share of each party is squared and then these values are summed. This sum is taken as a reciprocal value. Authors like Lijphart and Mitchell use this index very often and consider it as one of the most secure ones.<sup>44</sup> One of the main problems of this index is that it is not always possible to have entire and accurate information from elections. What is important, depending on the basis taken – seats or votes, this index has

<sup>43</sup> This version of the formula is taken from M. Gallagher and P. Mitchell, *The Politics of Electoral Systems*, (Oxford: Oxford University press, 2005)

<sup>44</sup> Arend Lijphart, *Electoral Systems and Party Systems: A Study of Twenty-Seven Democracies, 1945-1990*, (Oxford: Oxford University Press, 1994), 70 p.

different values for one and the same structure of votes. In this paper it is the index based on parties' seats in the assembly that is used. It is more suitable as it takes into account the systematic influence of the electoral system on the process of converting votes into seats.

In societies where these two principles – consensus party leadership and separation that gives chances to minorities to participate effectively in politics are not present like Northern Ireland the index “Effective number of parties” is quite low.

Table 1 **Effective Number of Parties for Northern Ireland**

<b>Year of Elections</b>	<b>Effective Number of Parties, Seats</b>
1945	2,25
1949	1,86
1953	1,80
1958	1,88
1962	2,15
1965	1,95
1969	3,48
<b>1973</b>	<b>5,19</b>

*Source:* Gallagher's web site of electoral research

The accessible data for the period between 1945 and 1973 shows a rather low index of effective number of parties. For most of the elections it is around two which is clearly according to Duverger's rule for political systems using FPTP. In some elections the value of the index is even below two, which is at least some evidence for the lack of representation of one of the groups. This state of the index is quite stable for the period 1945-1969. The data for 1973 is after implementation of proportional electoral system at the beginning of the peace process in 1973. This proportional representation inevitably increases the number of parties. This is just what Duverger's rule and the two theoretical models of democracy prescribe.

A quick reference in the Indian parliament shows that there are quite more parties there. The current Lok Sabha – House of People is fourteenth in the independent India's history. Currently there are 38 parties in the assembly. Besides them there are 12 seats that are

vacant.<sup>45</sup> Using the index for effective number of parties we can determine the level of multipartism and fragmentation of the Indian party system. The calculations show that this index is 6,52. These estimations take into account the 12 vacant places in the assembly which are subtracted from the general number of seats in the Lok Sabha.

Certainly, this high number of parties in the fourteenth Lok Sabha can be a temporary state of the situation due to extraordinary circumstances of the moment. That is why it is better to look back in the history of the Lok Sabha and the number of parties in the different terms of the assembly. The data for the effective number of parties is shown in Table 2. The index is calculated on the basis of the structure of seats in the Lok Sabha. It gives information about all assemblies since the independence of India. It also contains data about the number of parties that managed to win any seats in the Indian House of People.

Table 2 **Number of Political Parties in Lok Sabha, 1952 -2004**

Year	Number of parties winning seats	Effective Number of Parties, on the basis of seats
1952	21	1,7
1957	13	1,7
1962	21	1,9
1967	19	3,1
1971	25	2,1
1977	19	2,6
1980	18	2,3
1984	22	1,7
1989	25	4,1
1991	25	3,6
1996	29	5,8
1998	40	5,4
1999	38	6,1
2004	38	6,5

Source: "The Politics of Electoral system", India: Two-Party Contests within a Multiparty System, A. Heath, S. Gluharova, O. Heath

<sup>45</sup> Source: <http://164.100.24.208/ls/lsmember/partywiselist.asp> - official website of the Indian National Assembly, Members of Fourteenth Lok Sabha, Party Wise, last accessed at 11.05.2007

The data shows that this index is not so stable for the whole period. It goes from 1.7 to 6.5. For the first 35-40 years after the independence the index is around 2 (with the exception of the Fourth Lok Sabha in 1967) and fragmentation is not high. This is almost in accordance with Duverger's law and a good indicator for a Westminster model. In the end of 1980's we can see sharp increase of the index. The data for the last 6 terms of the Indian National Assembly shows that the level of fragmentation is high and the effective number of parties is getting higher. On the basis of this observation it is clear that the results from the last elections for the fourteenth Lok Sabha are not an extraordinary or temporary result. Besides this, there can be made a conclusion that in terms of number of parties India is going away from the Westminster model, prescribed by the theoretical model based on the usage of FPTP electoral system.

On this level we can compare this value of the index with another party system produced by the FPTP system. As Lijphart points, the Westminster model of democracy is built on the British case. The effective number of parties value of the British House of Commons for 2005 is 2,46.<sup>46</sup> This is the highest value of effective number of parties, calculated on seats, for the British Parliament for all the times. A comparison with the Indian index of 6.53<sup>47</sup> shows that if applied in its original formulation Duverger's law is not valid for India. The revisions made by Sartori, Rae and Riker deal with other specific circumstances like structured party system and decentralization which can accommodate this difference but they will be discussed later in the paper.

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<sup>46</sup> This is taken from Michael Gallagher's web site of electoral research at: [http://www.tcd.ie/Political\\_Science/Staff/Michael.Gallagher/ElSystems/index.php](http://www.tcd.ie/Political_Science/Staff/Michael.Gallagher/ElSystems/index.php) last accessed on 22.04.2007

<sup>47</sup> This is taken from Michael Gallagher's web site of electoral research at: [http://www.tcd.ie/Political\\_Science/Staff/Michael.Gallagher/ElSystems/index.php](http://www.tcd.ie/Political_Science/Staff/Michael.Gallagher/ElSystems/index.php) last accessed on 22.04.2007

### 3.1. Party System Specificities' effects on the Number of Parties and Duverger's rule

The character of the Congress party brings some of the reasons for one of the most important deviations of Indian model from both original Duverger's law and Westminster model. The high number of effective parties as it was shown before in India is quite higher than the prescriptions about the systems that are using FPTP electoral system. The basic reasons can be searched in the way the Congress party established the political process in India after independence. As it was the main and the dominating actor in the first years of the independent Indian democracy, it is assumed that the main principles of politics moved from its party structure to the structures of the new state – government and state offices.

One of the basic traits of this Congress model was the principle of bargaining and inclusiveness of all social and minority groups of the Indian diversity into the process of policy-making. As it is best explained by Kothari this process is based on bargaining among leadership and elites of the different groups.<sup>48</sup> The aim of the party for high inclusiveness and idea of being an umbrella-party was accomplished but at the expense of certain loyalties. The basic loyalties of the party are personal, not so much partisan. That is why, some scientists think that the party structure of Congress is not stable enough. According to Pelinka Indian parties appear to be more like “loose associations around a certain person” rather than solid structures with clear identity based on platforms and values.<sup>49</sup> This is best shown by two different processes within the Congress party. First, this is the importance of the figure of the leader of the party. This is actually a dependence of the whole party apparatus and often its integrity on the personal traits of the leader. The whole history of the Congress party is based on a strong leadership. First, this is the great personality of Mahatma Gandhi who probably

<sup>48</sup> R. Kothari, The Congress “System” in India, *Asian Survey*, 4: 1161-73, seen in Antony Heath, Glouharova, S., *India: Two Party Contests within a Multiparty system*, in *The Politics of Electoral Systems*, ed. by M. Gallagher and P. Mitchell, (Oxford: Oxford University press, 2005), 138 p.

<sup>49</sup> Anton Pelinka, *Democracy Indian Style. Subhas Chandra Bose and The Creation of India's Political Culture*, (New Jersey: New Brunswick, 2003), 165 p.



established the basis of strong personal loyalties in Indian politics. After that we can find leaders like Nehru, his daughter Indira Gandhi and her son Rajiv Gandhi. This power of the personalities is acting against the power of the party and in the Indian case it leads to party splits. This is the second process that is a result of the strong leadership. In the Congress party there are two periods of huge splits. They came after the death of Nehru and Indira Gandhi in the process of searching for a new leader. Congress party has undergone splits in literally every mandate of the Parliament.

Myron Wayner noticed this particular problem of the Indian politics as early as 1957. He says that nearly every Indian party have been subject to factional disputes or splits and even within the have been such splits in nearly every state. He also finds that the main conflicts occurred between the party persons in the state office on the one hand, and the people in engaged within the party structure. It is also possible to have territorial splits.<sup>50</sup> The most important consequence of this phenomenon is the fact that these personal splits very often lead to formation of new parties which participate in elections and win seats in the Lok Sabha.

A good example for that besides the constant process of splitting within the Indian party system is the split of the communist bloc. It underwent two splits for a period of two years. In 1954 the Marxist Forward Bloc split and a year later Praja Socialist Party was also split which led to the establishment of a new Socialist party. Obviously this problem of Congress party has become a problem for the whole Indian party system. The splits not only within Congress but in practice in every party in India have increased the number of existing parties in India.

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<sup>50</sup> Myron Weiner, *Party Politics in India: A development of a Multi-party System*, (New Jersey: Princeton University Press, 1957), 223-225 p.

Sartori also mentions personalization as a factor of validation in his revision of Duverger's law. He sees strong personal loyalties as an antipode of a structured party system with stable parties.<sup>51</sup> He finds that when personal loyalties are stronger than the partisan ones, this could lead to a different effect of the electoral system.

### **3.2. The effects of the Linguistic Principle and Local Parties Phenomenon on Duverger's rule and the Number of Parties**

Certainly this splitting and multiplication of parties would have been pointless if the leaders do not have some incentives to do that. The main incentive certainly is participation in the legislative and executive. The assumption that is in the basis of Duverger's rule is that with the case of FPTP, the electoral system decreases the chances for the small parties to enter the parliament. Thus the incentive for establishing, splitting is quite lower. The specific interference between the FPTP and the principle of setting the boundaries of the states in India produces a different picture.

The cultural-linguistic principle creates states where there is just one predominant group. In this state the population has all rights to participate in politics. Dominating in their "own" state they can form their own party. The forming of the parties is not so much in opposition with another local group that leads to a struggle for representation between the two groups. If this was the case, the majority rule would have produced the well-known result. In that way the group that was less in population would have been without any representation and practically excluded from political process. Having relatively homogenous on some basis states and thus constituencies gives chances for forming strong local parties.

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<sup>51</sup> Giovanni Sartori, *The Influence of Electoral Systems: Faulty Laws of Faulty Method*, in *Electoral Laws and Their Political consequences*, (New York: Agathon Press, 1986)

The role of the FPTP electoral system is in the fact that it works with single member electoral districts and in every single district the winner is determined locally in a direct clash. The win of a particular candidate in a particular district is not related with the general performance of his or her party at national level. This would have been the case with a national based proportional representation. That means that the local candidates do not need this special national umbrella of all-state party structures. They need to secure just their local support. And as the principle of separation results in relatively homogenous states, the candidates can rely on powerful support. This they have enough incentives to form parties.

In a PR system, it would have been nearly impossible for most of these local, small parties to enter the parliament. Having in mind the population of India and the huge amount of voters, even the smallest threshold for entering the national assembly would have been too high for some of the local parties. According to the data of the Election Commission of India the overall number of registered voters for 2004 elections for the 14<sup>th</sup> Lok Sabha is 671,487,930.<sup>52</sup> From these people, 389,948,330 voted.<sup>53</sup> This means that, hypothetically, in a very proportional PR system with 1% threshold would mean that a party should receive about 3,899,000 votes in order to receive a seat in the Lok Sabha. A brief analysis of the 2004 elections for Lok Sabha can show some of the consequences from this process of splitting, the highest number of parties and their local character.

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<sup>52</sup> Source: <http://eci.gov.in/StatisticalReports/ElectionStatistics.asp> - Election Commission of India, Official website, last accessed on 12.05.2007

<sup>53</sup> Source: <http://eci.gov.in/StatisticalReports/ElectionStatistics.asp> - Election Commission of India, Official website, last accessed on 12.05. 2007

Table 3

Party/alliance	Contested	Seats won 2004	Gain/loss of seats from 1999
NDU	543	189	- 111
BJP	364	138	- 44
BJP Alliances	179	51	- 67
UPA	535	222	+85
Congress	414	145	+31
Congress Alliances	121	77	+54

Source: CSDS Data Unit, based on the constituencywise final result put by the Elections Commission of India put on its web site, seen in Yogendra Yadav, *Elusive Mandate in Rising India – Europe's Partner*, (New Delhi, 2006)

The figures show that the two big parties of the Indian party system – Congress and BJP can not have majority without their alliances. A closer look at the data confirms the idea for the important function of these small parties that are often result of a party split and usually formed at local level.

The 2004 elections winner – the Congress is in position to form government not only because of the low result of BJP but because of the difference between the two camps' alliances. BJP alliances have lost 44 seats, whereas the parties and candidates that form Congress alliances have gained 54 seats more in comparison with 1999 elections. Actually the difference between the two blocs in terms of seats consists mainly of the difference between the seats won by the blocs' alliances. There are 33 seats difference between NDU (BJP bloc) and UPA (Congress bloc). The vast part of this difference is coming from the 26 seats difference between the mandates won by two groups of alliances.

The growing importance of the small parties in the alliances is the basic rationale for forming small local parties. Looking from the side of the big parties, it is obvious that they are giving some space for these parties. The figures for contested constituencies show that the two big parties do not compete in all constituencies. In the 2004 elections they have left 25-30% of all districts to their alliances. On this level we can see the real effect of FPTP electoral system.

Unlike proportional list systems, FPTP electoral system gives the chance to single candidates to compete and win a seat in the assembly.

The model the big parties in India are using for forming alliances is the important thing. The Congress and BJP do not have a candidate in a specific constituency and they do not affiliate a local candidate. Instead of that they prefer to persuade a whole local party. As it was already mentioned there are many local parties that are very powerful within their state. It would be very difficult for a Congress or a BJP candidate to win the elections in a majoritarian competition against a candidate of this local party. That is why the two main parties prefer to affiliate the whole party and give it a chance to have a seat in the Lok Sabha. On the other hand BJP and Congress rely on their partners when it comes to approving the cabinet. What is more, it is very probable that the choice of better local partners determine the future cabinet.

So there the high number of parties in India is based on the possibilities that are coming from the cultural-linguistic principle of separation of the states, the specific personalization of Indian party politics. Under these circumstances a small party can be very successfully a dominating power at a regional level. In this case the model of single district competition of FPTP electoral system, which gives a chance for a single candidate to win a seat at federal level, in practice increases the number of parties. This is of course related also with the model of making pre-elections coalitions in India. The fact that this level of multipartism is maintained is based on the fact that most of these small parties are small and present the interests of small ethnic, religious or other groups. Secondly, as it was shown by the analysis of the figures of the 2004 elections these small parties have a strong rationale to participate in elections.

## **4. Validation or falsification of Duverger's law**

After estimating the index for effective number of parties, analyzing the basic factors for this higher number – the linguistic separation and the specificities of the emergence of the Indian party system, and their interactions, it is Duverger's law that is under question in the Indian case. As validation or falsification of Duverger's law is part of the research question of this paper and there should be an analysis of its functioning. Sartori, Rae and Riker try to accommodate at least partly the deviation cases. But here I want to present two other versions of analysis of the function of Duverger's law and its validity.

### **4.1. The party system seen as a two-bloc system**

After analyzing some data from the 2004 Parliamentary elections of India it is obvious that there are two main parties, their alliances and other parties like communists. The basic question that can come here is: is it so sure that the Duverger's law is not valid for Indian party system. The basic definition of this law says that the FPTP electoral system will bring and maintain a two-party system. The simple observation of the Lok Sabha shows that there are 38 parties and this is clearly not the effect prescribed by this law. The calculations of the index "effective number of parties" has a value of about 6, which says that the number of parties in the party system is not as high as 38. As it was mentioned earlier a closer look at the elections results after 1977 will show that there are two main parties. A quick notice of the formation of Indian governments will show that the cabinets are formed by one of the two big parties and their alliances.

So here comes the question: can the Indian party system be determined as a "two-bloc" party system? There are other similar examples like Italy where two party blocs can be found. In Italy this was a result of implementation of a mixed electoral system with majoritarian

elements. The general expectation in such cases is that the parties within the blocs will merge after a certain period of accommodation and cooperation. So we can say the Duverger's rule is not fully falsified in some cases if we perceive a two-bloc system as a two-party system in the future.

It is difficult to speak about the future of such an unusual political system like the Indian one. In this case it is not very likely for the parties within the blocs to merge. The first reason for that is the fact that the composition of the two blocs is not very stable. Secondly, some of the small local parties present the interest of small ethnic, religious or other groups. Sometimes their political aims and needs are very specific and their activity is usually pointed towards preservation of identity and authenticity and gaining certain rights. That is why, in a short run it is improbable to have the parties within the two blocs merged into two main parties.

#### **4.2. One or Many Party Systems**

Chibber and Kollman present a different view about the kind of party systems in states with federal structures. According to them it is quite better to look at this type of national level party systems as comprised of many party systems. Every state which is part of the federal structure presents a different party opposition. This is possible with FPTP electoral system, as it permits hypothetically that every candidate can constitute a different political party. Thus the candidates are not related to national level structure.

The other factor that favors this separation is the size of the constituencies. Indian electoral districts are huge enough to provide the possibility for mass political action only within the

boundaries of the state.<sup>54</sup> The cultural-linguistic principle used to harness the great Indian diversity provides the possibility for establishing this kind of separate political markets. They are mutually independent. As this is one of the rationales behind the local parties in India, it was already mentioned, it is the reason for the higher number of parties. Having the national party system comprised of these numerous separate party systems would mean that the electoral system has its effect on each of them independently. In result, Duverger's law can be tested on a state level, not on federal level.

Table 4 **Effective number of political parties, state averages  
for Lok Sabha elections 1952-2004**

Year	Effective Number of Parties – state level (seats)	Effective Number of Parties – federal level (seats)
1952	1,7	1,7
1957	1,7	1,7
1962	2,0	1,9
1967	2,2	3,1
1971	1,9	2,1
1977	1,7	2,6
1980	1,8	2,3
1984	1,6	1,7
1989	2,2	4,1
1991	2,0	3,6
1996	2,5	5,8
1998	2,8	5,4
1999	2,5	6,1
2004	2,4	6,5

*Source:* CSDS Data Unit, Owen Heat, The fractionalization of Indian Parties, Seminar, 480: 69

The data in table 4 presents the average “effective number of parties” index for the Indian states for the parliamentary elections from 1952 to 2004. These estimations show that the average number of effective parties in the Indian states is significantly lower than the same index at national level. This development of the measures indicates that actually the party systems in the different states, taken separately, are two-party systems. The long period with fairly the same measures of the index (although with some slight shifts) shows some stability

<sup>54</sup> P. Chibber and K. Kollman, Party Aggregation and the Number of Parties in India and United States, The American Political Science Review, vol. 92, No. 2, pp 329-342



of the observation. This fully conforms to Duverger's rule in its original version formulated by Maurice Duverger. Here comes a question about the revision of the law made by Rea, Riker and Sartori, which excludes states with federal structures that appeared to be falsified.

Having in mind the data for the effective number of parties at the state level and also the idea about the formation of a two-bloc party system, it will be not fully correctly to falsify Duverger's rule. But it is important to point out that there are some conditions for that. It could be verified as having some influence on the federal level as much as there are two party blocs. As such the system is quite near to a two-party system. The rule also can be fully verified if the party system at federal level is taken as a collection of numerous small state party systems. These party systems can also be seen as two-party structures and as such fully comply with Duverger's rule.

## 5. Power-sharing on the Basis of FPTP

Lijphart finds four elements of power-sharing. These are grand coalition cabinets, proportionality, minority veto with regards to minority rights and autonomy (cultural).<sup>55</sup> This consensus process is a result from the institutional arrangements which were described by Lijphart and other authors.

The aim of analyzing the Indian case is to show that although there is electoral system that would support a Westminster model of democracy, actually we can find most of the elements of consensus and power-sharing in India. This is due to the local specific factors. These are once again the consensus position of the Congress party during the establishment of the Indian party system and secondly, the cultural-linguistic principle of separation. These are the same factors that explained also the higher number of parties within the Indian party system.

### 5.1. Grand Coalition

One of the most visible elements of Indian power-sharing is the grand coalition type of the Indian cabinets. Another characteristic of the Westminster model regarding coalitions is the assumption that the cabinets because of the plurality rule and the smaller number of parties in the assembly are quite more stable. A good indicator for government stability can be the average duration of cabinets. In India we can find 12 cabinets for the time from 1952 to 1999. So the average duration of the Indian cabinet is 3.9 years.<sup>56</sup> If we take UK again, as a reference used by Lijphart for describing the majoritarian model, we will find 4,1 years duration of the British cabinet. It is important to point out that this comparison can be made

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<sup>55</sup> Arend Lijphart, *The Puzzle of Indian Democracy: A Consociational Interpretation*, *The American Political Science Review*, Vol. 90, No. 2, Jan., 1996, 258 p.

<sup>56</sup> This is estimated on the basis of the data about the duration of the cabinets from M. I. Ahuja, *Handbook of General Elections and Electoral Reforms*, (New Delhi: Mittal Publications, 2000) seen in Anton Pelinka, *Democracy Indian Style*, (New Jersey: Transaction Publishers, 2003).

just as long as the two countries have the same legislative threshold for maximum duration of one government without elections – 5 years. On this basis the difference between the government duration of India and United Kingdom of about 2-3 months is not so significant.

Of course, it is good to stress that the latest trends can be in different direction. During the 1990's Indian cabinets are becoming more and more unstable. Since 1999 they increased their stability. And this is not the case in UK as first Thatcher scored the longest period in power for the Conservative party and now Blair scored the same achievement for the Labour party. So in UK the stability of the cabinets is a stable characteristic whereas in India it can vary. In that sense low cabinet duration can not be something unexpected.

Coalition cabinets as one of the basic traits of the Consensus model are really present in India. That of course can not be found in UK. The last grand coalition cabinet there dates back to the Second World War. In India coalition cabinets came as a political option for the first time in 1977 when the Janata Alliance united nearly all parties in the assembly against Congress and formed the first coalition government. This is becoming even a stronger characteristic of India political system after 1989. Since then most of the cabinets rely on numerous small coalition partners.

The real grand coalitions in India appeared after the end of the hegemony of the Congress party during the 1980's. But it is quite important to point out that although in technical terms – number of parties in the government – the cabinets before 1980's were not grand coalitions, in practice there were such. As Pelinka writes Indian form of consociational democracy “does not share power among parties but within one dominant party whose hegemony is legitimized

through the process of democracy”<sup>57</sup> Initially this party used to be Congress party as it was a continuation of the independence movement. It is interesting that even after establishment of the second powerful actor in the Indian party arena – BJP or People’s party – this process of including minority partners became important for the new party.

The main reasons for that are quite different for the two parties. The Congress approach towards minorities and their inclusiveness can be explained by the ideas of the founders of the party – Nehru and Gandhi. The whole party was established on the idea of building an all-Indian nation. BJP actually was established as a counterbalance to Congress ideas and policies. That is why the reason for including many partners in their cabinets and alliances should be searched not in the area of political identity. The results from the 2004 elections that were presented earlier showed that both BJP and Congress are dependant on other partners. These partners are local parties. So the reason for this inclusive approach of BJP is purely on the electoral rationale. Pelinka gives some evidence that although as ideology BJP is hostile to the specific minority rights, their policies are not very different from those of Congress.<sup>58</sup> This is because they also rely on local parties as partners to form majority in the parliament. These small parties represent the interests of minorities and thus they achieve a kind of balance within the BJP government policies. This could be also seen as an indirect consequence of the non-structured party system, which according to Sartori produces a higher number of small parties. Of course, the local party phenomenon is caused by the interaction between FPTP and linguistic separation, explained earlier.

FPTP put in other local circumstances does not lead to similar institutional arrangements. For instance, in the period between 1920 and 1973 Northern Ireland had cabinets that were

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<sup>57</sup> Anton Pelinka, *Democracy Indian Style*, (New Jersey: Transaction Publishers, 2003), 229 p.

<sup>58</sup> Anton Pelinka, *Democracy Indian Style*, (New Jersey: Transaction Publishers, 2003), 230 p.

completely within the Westminster tradition. The prime-minister was pointed by the House of Commons of Northern Ireland. As this Westminster model prescribes the prime-minister was the leader of the party with majority in the assembly. In practice, the prime-minister was chosen by the governor of Northern Ireland of the British Government.<sup>59</sup> For the whole period there were 5 cabinets and all of them were formed by the Unionist party and supported by the unionist majority within the House of Commons of Northern Ireland. Due to this unionist domination and the start of the so called “troubles” this practice was abolished in 1972. So instead of power-shared cabinet - the basic trait of the Westminster model one-party government is present in other environment. Lijphart writes an article on a document of the British government called “A framework for Accountable Government in Northern Ireland” from 1995. He comments the elements of power-sharing in this document and the proposed principle for executive power-sharing and points that these changes shows that even the British have recognized the need for power-sharing.<sup>60</sup> It can be assumed that the author of the theory for consensus and power-sharing could not find this element present in Northern Ireland till that moment.

## 5.2. Disproportionality

Lijphart describes that FPTP and majoritarian electoral systems produce disproportional results. In describing the Westminster model Lijphart says that the electoral system that the whole model is based on – the majoritarian one - produces highly disproportional results. These results reinforce the leading position of the majority. This clearly exemplified by Northern Ireland in the period 1929-1972. The presented data is about the index of disproportionality based on least squares. It is for the period from 1945 till 1973. In 1973 the House of Commons of Northern Ireland was abolished and a new Northern Ireland Assembly.

<sup>59</sup> Alan J. Ward, *The Irish Constitutional Tradition* (Dublin: Irish Academic Press, 1994)

<sup>60</sup> Arend Lijphart, *The Framework Document on Northern Ireland and the Theory of Power-Sharing, Government and Opposition*, Vol. 31, Issue 3, July 1996, 267 p.

Table 5                    **Disproportionality in Northern Ireland under FPTP**

<b>Year of Elections</b>	<b>Index of Disproportionality, LSq</b>
1945	16,60
1949	10,81
1953	20,36
1958	20,53
1962	17,44
1965	15,58
1969	14,29
<b>1973</b>	<b>3,68</b>

*Source:* Gallagher's web site of electoral research

The values of the index are quite high. It takes values from 10.81 to 20.53. This is a clear example of majority elections with FPTP. There is a peak of disproportionality on 1953 and 1958 elections. The data for 1973 represents actually the beginning of the power-sharing process. These elections were held under proportional electoral system. The values in Northern Ireland show the higher level of exclusiveness of the Westminster model and the FPTP under these conditions.

It will be interesting to see whether FPTP has such an effect in India and of course how much this disproportionality is. We can use again Gallagher's index of disproportionality. It is supposed that the big parties will take the biggest advantage from this disproportional transformation of the votes into parliamentary seats. Calculated for the results of the Congress party for the period after 1989, this index shows a something different.

Table 6

**Congress' share of seats and votes, 1989 - 2004**

Year	INC % votes	INC % seats	Index of disproportionality
1989	39,5	37,3	7,5
1991	36,5	44,5	6,3
1996	28,8	25,8	7,0
1998	25,9	26,0	6,2
1999	28,3	21,0	8,7
2004	26,5	26,7	4,5

Source: "The Politics of Electoral system", *India: Two-Party Contests within a Multiparty System*, A. Heath, S. Gluharova, O. Heath

The index of disproportionality showed that the results from Indian elections are not so disproportional. What is more, the other feature of this political effect of FPTP is that usually disproportionality is in favor of majority and puts threshold in front of the representation of minorities. In India because of the high number of local parties which are based on linguistic minorities in the Indian states.

The index shows that one of the main, big political parties – Congress - actually does not profit much from the FPTP, which is supposed to be highly disproportional. The Gallagher's index for disproportionality for all-Indian elections for 2004 is 4.53. This index can not give much information by its own. The same index for Northern Ireland is between 10.81 to 20.53. Here again a comparison with United Kingdom can be helpful. In the 2005 elections, the Gallagher's index is 16.73.

Dealing with the results from the last election in 2004 gives some additional information about the profit from the disproportionality. The results show, that the parties with the lowest share of the votes usually from proportionality. The last two parties that managed to take seats in the parliament have 0,04 % of the votes. Their single seats in the assembly equal to 0,2 % of all the seats in Lok Sabha. This is good evidence that FPTP is not producing highly disproportional results in the case of India. These parties have received a lower share of the

votes, compared to the share of seats they acquired on the basis of their popular vote. Compared with the data for United Kingdom the index of disproportionality is about four times lower. With Northern Ireland is about 5 times higher. Secondly, the figures show that it is the group of the small parties that is profiting from the disproportionality of the electoral system.

### 5.3. Minority veto

Lijphart explains that there is one element in which India is very different from the other consensus models. He chooses to stress that this big difference is that the power-sharing process is not tightly institutionalized via a deliberate agreement. This is the case with the Netherlands in 1917, Lebanon in 1943 and Austria 1945.<sup>61</sup> This institutionalization is not part of the Indian constitution. In spite of this fact there are quite effective mechanisms for protecting the different minorities from the decisions of the majority.

The first mechanism is actually part of the institutional framework of India. Using the Westminster model India is actually a case of state in which there is no clear separation between powers. The executive – the government and the legislature – the Lok Sabha are linked together. The balance is made in the parliament as the cabinet and the prime-minister are dependent on its vote. The specific element is that the Indian political system does not produce a clear parliament majority. Every ruling party needs coalition partners. These coalition partners are actually, as it was shown, small minority parties and even single candidates. This is a functioning balance which in many cases works as a veto mechanism in the parliament. The ruling parties have no interest to violate the rights of the minorities because in most of the cases their cabinet and prime0minister is dependent of these minorities' votes in the Lok Sabha.

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<sup>61</sup> Arend Lijphart, *The Puzzle of Indian Democracy: A Consociational Interpretation*, *The American Political Science Review*, Vol. 90, No. 2, Jan., 1996, 262 p.



The other mechanism is the judiciary system. Fali Sam Nariman describes the role of the courts for voting some decisions against minorities in India. According to him the courts in India when dealing with minorities issues “tend to conceptualize their role as that of political party in opposition”.<sup>62</sup> He explains that almost every attempt of a minority group to revoke or cancel a disputable decision of state authorities of central legislation was upheld by the Supreme Court in India.<sup>63</sup> Many authors present cases in which the claims of the minorities were approved by the court.

It could be argued that Northern Irish case is partly caused by the fact that the minority rights of the Catholic minority were not guaranteed. Lijphart says that they were easily and continuously outvoted. He finds that the Panel as a structure proposed by the British in 1995 document for Northern Ireland is a good mechanism for minority veto.<sup>64</sup> A similar mechanism of cross-community approval is part of the Good Friday Agreement from 1998. The basic conclusion is that this element of the power-sharing was not present during the period from 1920 till 1973. The Catholics were let to the full domination of the Unionists. This is good example how in one case FPTP is one of the factors that support minority rights whereas in the case of Northern Ireland this majority rule is the basis for discrimination.

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<sup>62</sup> Fali Sam Nariman, *Indian Constitution: An Experiment in Unity amid Diversity*, in *Forging Unity out of Diversity: The approaches of Eight Nations*, ed. by Robert A. Goldwin, Art Kaufman, and William A. Schambra, (AEI: Washington, 1989), 21 p.

<sup>63</sup> Fali Sam Nariman, *Indian Constitution: An Experiment in Unity amid Diversity*, in *Forging Unity out of Diversity: The approaches of Eight Nations*, ed. by Robert A. Goldwin, Art Kaufman, and William A. Schambra, (AEI: Washington, 1989), 21 p.

<sup>64</sup> Arend Lijphart, *The Framework Document on Northern Ireland and the Theory of Power-Sharing, Government and Opposition*, Vol. 31, Issue 3, July 1996, 271 p.

#### 5.4. Autonomy

The autonomy is often called vertical power-sharing. It gives the opportunity to a minority group to govern by themselves some specific aspects of their life. This specific type of cultural autonomy takes three basic forms. These are: linguistic freedom, autonomous schools and personal laws.<sup>65</sup>

Linguistic freedom is preserved by several articles in the Indian Constitution. Article 29 says that any group of citizens that have distinct language and script has the right to preserve it.<sup>66</sup> But the basis for this freedom is established in Article 345. It says that the legislatures of the states may by law adopt the official language in use. This would not have been a consensus element if the states were not established on the basis of linguistic homogeneity. This gave the chances for the minorities to establish their own language. Hindi is regional language in five northern states – Bihar, Haryana, Madhya Pradesh, Rajasthan and Uttar Pradesh. Urdu is official language in Jammu and Kashmir, Punjabi in Punjab, Marathi in Maharashtra. In the former French enclaves of Pondicherry and Mahe of the east coast there are also several languages in use, which is not unusual. These are French, English, Tamil, Telugo and Malayalam.<sup>67</sup>

The right of linguistic freedom is guaranteed even the cases when despite of the linguistic principle of separation, there is a group that is in minority position. Article 347 of the India constitution says that if “a substantial proportion of the population of a State” desire the use of any language spoken by them to be recognised by that State, the president can issue a law

<sup>65</sup> Arend Lijphart, *The Puzzle of Indian Democracy: A Consociational Interpretation*, *The American Political Science Review*, Vol. 90, No. 2, Jan., 1996, 260 p.

<sup>66</sup> This information is downloaded from the website of Ministry of Law and Justice (Legislative Department) at <http://indiacode.nic.in/coiweb/welcome.html>, last accessed on 13.05.2007

<sup>67</sup> Fali Sam Nariman, *Indian Constitution: An Experiment in Unity amid Diversity*, in *Forging Unity out of Diversity: The approaches of Eight Nations*, ed. by Robert A. Goldwin, Art Kaufman, and William A. Schambra, (AEI: Washington, 1989), 14-15 p.

recognizing this language as an official one.<sup>68</sup> This helps certain groups which constitute minority in some states to have their language as a second or third official one.

Lijphart argues that these specific administrative and territorial arrangements can not be applied in every power-sharing process. This is the case with Northern Ireland. His main argument is that the two communities are too much intermixed. The basic problem about that is that linguistic domination of the majority in this case is often perceived as a element of the overall political and social supremacy and power of the majority. In that respect it can be argued that these guarantees for linguistic freedom are needed in divided societies although they can not be applied by the model described by Lijphart.

The second element of the autonomy is the right of the minority to have their own schools. In India this is determined in Article 30 of the constitution. It says that “every minority, no matter whether it is based on religion or language” has the right not only to establish but also administer autonomously “educational institutions of their choice”<sup>69</sup>.

The case of Northern Ireland presents a very good basis for a specification. This element of autonomy is to some extent present in Northern Ireland. There are separate schools for the two communities. But the important thing is that according to Alan Smith<sup>70</sup> and Lijphart that it is important condition the state to subsidize these minority schools.<sup>71</sup> This was not the case for the period between 1920 and 1973. Lijphart explains that it was segregation actually that the state started financing Catholic schools but not at the same level as Protestant schools. Catholics schools were actually established because the minority was not allowed into state

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<sup>68</sup> The text is downloaded from the website of Ministry of Law and Justice (Legislative Department) at <http://indiacode.nic.in/coiweb/welcome.html>, last accessed on 13.05.2007

<sup>69</sup> The text is downloaded from the website of Ministry of Law and Justice (Legislative Department) at <http://indiacode.nic.in/coiweb/welcome.html>, last accessed on 13.05.2007

<sup>70</sup> Alan Smith, Education and the Conflict in Northern Ireland, in Seamus Dunn, Faces of Conflict in Northern Ireland (Dublin: St Martins Press, 1995), 169-185 p.

<sup>71</sup> Arend Lijphart, The Framework Document on Northern Ireland and the Theory of Power-Sharing, Government and Opposition, Vol. 31, Issue 3, July 1996, 270 p.

schools. As a result the Catholic minority started founding its own schools. In that sense the Northern Irish case of separate schools can not be determined as school autonomy.

The third element is the presence of personal laws. We can find several examples of this kind of preferential treatment. First this is in Article 46 of the Indian Constitution. It considers the so called “scheduled” castes. It says that the state should promote “with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes”. Another example of personal laws is the case of the Muslims in India and the civil code. They have their own laws concerning marriage, inheritance and family life.<sup>72</sup> In most of the cases they affect the traditional positioning of the woman and the man within the Muslim family. The main function of the persona laws is to expand the functioning of the territorial autonomy. This is cases in which one minority can not be located and separated in particular territorial division but still it has distinct traditions and regulations. As the Muslims in India are distributed quite evenly on the whole territory of India, and what is more, they are the most significant minority in the country. So they need to have this preferential treatment.

According to Lijphart personal laws should not be searched in every case of power-sharing, particularly in Northern Ireland.<sup>73</sup> The basic argument concerning personal laws is that usually they are used in divided societies with Muslim minorities. This a little bit a generalized idea of Lijphart that actually says that these rules consider minorities with specific traditions and practices. Sometimes they are too distinct and can come into conflict with the main codification. These are laws for marriage, divorce, family rights. In that sense probably the two main groups were not so different in terms of practices and cultural traditions. So this

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<sup>72</sup> Anton Pelinka, *Democracy Indian Style*, (New Jersey: Transaction Publishers, 2003), 216 p.

<sup>73</sup> Arend Lijphart, *The Framework Document on Northern Ireland and the Theory of Power-Sharing, Government and Opposition*, Vol. 31, Issue 3, July 1996

element of the autonomy is not present in Northern Ireland. But it can be argued that it is not needed.

Table 7 **Power-sharing in India on the Basis of FPTP**

<b>Elements</b>	<b>Mechanisms</b>
<b>Coalition Cabinets</b>	<ol style="list-style-type: none"> <li>1. Within Congress party until 1980's</li> <li>2. Large coalitions and alliances</li> </ol>
<b>Autonomy</b>	<ol style="list-style-type: none"> <li>1. Autonomous schools, Article 30</li> <li>2. Linguistic freedom, Articles 29 and 345</li> <li>3. Personal laws</li> </ol>
<b>Proportionality</b>	<ol style="list-style-type: none"> <li>1. Low Index of Disproportionality</li> <li>2. Small parties profiting from disproportionality</li> </ol>
<b>Minority Veto</b>	<ol style="list-style-type: none"> <li>1. Dependence of the executive on minorities</li> <li>2. Strong Judiciary in favor of minorities' claims</li> </ol>

The final conclusion for the process of power-sharing is that although the electoral system is FPTP it is quite clear that all the elements of power-sharing are present in India. This process according to Lijphart consists of several basic elements. First this is the grand coalitions. According to this criterion India scores fairly well. It is difficult to measure the number of parties in every cabinet. The option is to use one of the main characteristics of the coalition cabinets – low duration. This indicator is based on the assumption that the grand coalitions are dependent on many interests and that is why they are not stable. The index for average duration of Indian cabinets for the period since independence is not very different from the one of United Kingdom and Northern Ireland. But looking at the model of building Indian cabinets gave additional information. The stability of the Indian government can be easily explained with the nature of the Congress party and its domination in that period. As it was an umbrella party for all the strata of the society, actually the grand coalitions were within this party. After the end of its domination and the emergence of BJP as an opposition the trends in both duration of the Indian cabinets and its formation changed. The majorities are already clearly composed by many parties. The average duration is getting lower in 1990's. So the Indian cabinets are clearly grand coalitions with many partners.

The second element of the power-sharing process is the proportionality of the electoral system and representation. The index of disproportionality for the elections from 2004 showed that the FPTP system is producing relatively proportional results. Compared with the Northern Irish one, it is quite lower. An analyses of the results of these elections showed that it is not the biggest party – Congress – that is profiting from the level of disproportionality as it was the theoretical assumption. In 2004 elections FPTP produced results that are advantageous for the small parties, as their share of votes is quite lower than the share of seats that they received in the Lok Sabha. The basic conclusion about the proportionality as an element of power-sharing is that it is so significantly lower than the expected and it does not prevent the representation of the small groups of the population. This is not the case with Westminster model in divided societies exemplified by Northern Ireland.

The third element – minority veto is not put as a norm in the constitution of India. The analysis showed that in spite of that there are two effective mechanisms for minority veto. These are the great dependence of the cabinets on a number of minority local parties. Secondly, this is the strong judiciary that is acting in favor of the minorities' claims against decisions of the state and national legislatures and executives.

The fourth element of the power-sharing consists of 3 parts – linguistic freedom, autonomous schools for the minorities and personal laws. The review showed that most of these aspects can be found in the Indian Constitution. This part can be considered as a weak point of the model, as Lijphart argues that most of these elements should not be search in Northern Ireland.

## Conclusion

As the electoral systems have quite fundamental and instrumental function for the whole political system it is important to study their effects. The main hypothesis of the paper is that FPTP electoral system can have different than the theoretically expected effects in divided societies. The established theoretical framework prescribed that the FPTP can be the basis of only the Westminster model.

The study of that hypothesis was based on a number of empirical evidences and information. As the main mechanism of the electoral system to exert its effect is Duverger's law, the first point under research is the number of parties. The effective number of parties showed some contradictions of this rule in the case of India. This is due to the local party phenomenon that was also explained. Actually India is a suitable case for research and explanation of unusual effects of FPTP. So the number of parties there turned out to be significantly higher than the model prescribes. Northern Ireland is the reference for the theoretical model. It is often pointed as the case of majority rule in divided society. This difference in the number of parties is the first point that showed that FPTP is not directly leading to a Westminster model.

The next point that was assessed in the paper was the presence of power-sharing, as this consensus process and arrangements were built as an opposing model of democracy by Lijphart. He describes the basic elements of power-sharing model. The analyses showed that India has all elements of this pattern. They were completely different from the structures in Northern Ireland. For the sake of objectivity and credibility there were used several indexes. The index of disproportionality showed completely different effect in terms of proportionality in India and Northern Ireland although both systems use FPTP. The average duration of the government showed also the different trends of the Indian model and the theoretical one. The

two elements were also found as provisions of the Indian constitution. These characteristics were not found in Northern Ireland. This clearly proved the hypothesis that FPTP can produce Consensus model of democracy.

The basic finding of the paper is that explained one of the possible mechanisms of altering the theoretical effect of FPTP. The Indian case showed that there are two factors that changed the effect of this electoral rule. These two factors are the consensus party leadership and the principle of separation (administrative and electoral) that gives chances to minorities to participate more effectively in the political process. A short analysis showed that these principles were hard to establish in the Northern Irish conflict within the time period 1929-1972.

An analysis of the interaction between these principles and the characteristics of FPTP in India was made. It showed that the altered effect of the model on number of parties and the formation of all elements of power-sharing is due to this contact.

As the Duverger's rule is the basic mechanism of the model these conclusions led to some big contradictions with this rule. A thorough study of the Indian case showed that it is impossible to fully falsify this theoretical element. India is often pointed out as an exception of this rule. If seen from a different perspective, the Indian party system does stand the restrictive effect of FPTP, described by Duverger. The results from elections show that the system is becoming a two-bloc system, which can be perceived as nearly a two-party one. On the other hand, analyzing the party systems of the different states in the federal structure of India showed that they fully comply with Duverger's law. This is partly in contradiction with the revisions made by Rae, Riker and Sartori.



A minor finding and at the same time a good point for further research is the hypothetical effect of a PR system in India. The initial analyses showed that if implemented in India it would have a more restrictive effect of the number of parties. This could have a negative effect on the local parties which as the study showed are the basis of some elements of the power-sharing. This would mean a negative effect of PR on consensus which would be in sharp contradictions with the theories about consensus political models.

The paper proposed a different approach to the field of the electoral systems as it tries to compare the effects one and the same electoral system. This is important because the implementation of the electoral systems in different environments seems to give completely different effects than expected. Since the type of electoral system has a fundamental and instrumental function in the functioning of the whole political system it is of great importance how it works.

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