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Government: Challenges & Opportunities"**

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Post-electoral Government and Prospectus for Democratic Consolidation



– Dr. Chandra D. Bhatta

Introduction

The year 2022 has been the election year and there are certainly reasons to be happy about when it comes to the point of democratic consolidation. Apart from the fact that the elections were held in the stipulated time frame, the fact that political parties came together—and expressed their commitments, at least, towards electoral democracy certainly needs to be appreciated as it provides hope for the future. At the least, elections are considered most important part in democracy as they offer opportunities not only for the circulation of the leadership but also for the policy persuasion. Yet when we juxtapose both, elections alone are not sufficient neither to consolidate democracy nor to bring about an end to the extended transition. Nevertheless, popular legitimacy to the system only comes from the election despite the fact that the substantive legitimacy, for its part, may only come when such elections truly serve for the broader welfare of the citizens.

All things considered, not all is well with electoral democracy for the reason that in recent years, the circulation of elites through elections has not been happening as required. In contrary, it has only brought same elites again and again in the political landscape and contributed to establishing what is normally referred as the formation of an electoral dynasty. Among other reasons, this could also be taken as why interest toward ‘electoral democracy’ is slowly declining. The low turnover of voters both in emerging and consolidated democracies of the west is the classic example in that regard. Moreover, over the years, the entire ecosystem of the political party has been hijacked by certain elites and the interests’ groups. Again, this phenomenon, however, is common in many countries including in Nepal, where the electoral democracy is mere becoming ritualistic or mechanism of endorsement for certain people again and rather than bringing about substantive changes in polity. Yet

this does not mean that one should lose hope on electoral democracy as there are always rooms for improvements. Overall, democracy is a work in progress project and is certainly a better system not necessarily 'the system' than many of others available in the global political market.

So far so good, the overall objective of this paper is to look into as to what extent recently concluded elections would contribute towards broader democratisation process and what challenges might it have to undergo in that course. How would geopolitics underplay in the entire political process would also be worth looking into. In hindsight, nothing can be said, and many factors hinges on how the upcoming government formed under the leadership of the Communist Party of Nepal – Maoist Centre (CPN-MC) takes the governance – both domestic and external – forward. Nevertheless, once again, Nepal is having some sort of 'left alliance' and how does it fares compared to the last one is yet to be seen. What certainly has become sure for now, however, is that it is all set to govern Nepal, at least, for the next five years if everything goes well. The pre-electoral 'democratic left alliance' of Nepali Congress (NC), the Communist Party of Nepal-Maoist Centre (CPN-MC) has now fallen apart.

An overview of the election

From the electoral results, Nepali Congress come out, largest party in the 275-member federal parliament by securing 89 seats both from the first-past-the post (FPTP) and proportional representation (PR) votes. Similarly, CPN-UML, has emerged as the second-largest party by securing 77 seats. Moreover, while the CPN-MC, came out distant third by securing 32 seats, the newly formed Rastriya Swatantra Party (RSP), for its part ended with 20 seats. Likewise, the Rastriya Prajatantra Party (RPP) secured 14 seats, the Janata Samajwadi Party (JSP) 12 seats, the CPN-United Socialist secured 10 seats, the Janamat Party (JP) six seats, the Loktantrik Samajabadi Party (LSP) four seats, and the Nagrik Unmukti Party (NUP) another new party hailing from the western Nepal secured three seats. However, among all those contesting political parties, only seven: CPN-UML, the NC, CPN (MC), the RSP, the RPP, the JSP, and the JP could fulfill the requirements to be a national party that requires winning at least one FPTP seat, apart from three percent proportional votes.

Nevertheless, what may still be of interesting with regard to election is that some of the political parties who now have managed to enter into the national politics were registered with the Election Commission just few months before the elections were announced. The rise of new actors and some sort of decline in the strength of the older political parties - resident parties – is major takeaway of this election, among others. For example, while in Terai-Madhes, JP came as new political force whereas JSP and LSP have significantly lost their space to NC and CPN-UML. In the same vein, NUP dominated the western Terai and emerged as the strongest force by hijacking the traditional electoral constituencies largely of those of resident parties. In addition to this, RSP came up with strong presence in the federal parliament – though it did not file its candidacy in the provinces. Also, for the first time after the political change of 2005/06, RPP has come up with significant numbers in the national politics. All taken together, it is not only about the rise of the new political forces – actors – but they also have their own agendas – at least in principle – and promised to the people during the time of electoral campaigning. Yet many see their rise as part of frustration anchored by the people towards the mainstream political parties due to their underperformance over the years. Many are of the view that had there been provisions for ‘no vote,’ situation perhaps might have been different than now. Still the overall electoral result does not provide sufficient votes to a single party to form the government. In fact, the electoral mandate is not clear. At best, it can be described as fragmented and to acquire the magic figure of 138 – the bare minimum requirement to form the government – more than two political parties will have to come together. This makes coalition and alliances among and between the political parties some sort of new normal in the days ahead. The fact of the matter is that alliances and coalitions can only work successfully when they live up to their promises. As of now, we are accustomed to practice ‘competitive democracy’ not coalition or cooperation, at least in practice not necessarily, where one party tries to unseat other to get into the helm of power. If we continue with the same practice and some sort of compromise is not struck, this might usher in a new type of political oligarchy and could even act as the catalytic factors not only for the political instability but also people’s perception towards political system will change.

Moreover, if the extant political behaviour remains as it is, it will only

escalate disenchantment towards politics which, for all the practical reasons, will have serious implications for Nepal's democratisation process. Viewed from this perspective, there are equal chances that Nepal's upcoming parliament will also meet the same fate as the earlier one did. Further, the coalition politics that we have introduced is only giving rise to syndicate system which is very much against the norms of democracy. In the course of that unreal issues are becoming more prominent than the real ones and every effort is centred around power politics alone. Neither ideology nor principles have space in the power politics which is nearer to the Hobbesian in nature of politics. Looking at the current state of affairs, there definitely is a need of having political Chanakya but little can be expected from the existing political dispensation for the obvious reasons¹.

Reflection on Nepal's journey towards democratisation

Nepal adopted modern political system based on Western liberal tradition from 1950 onwards `when the family rule of Rana's came to an end. However, Nepal's journey towards successful political transition has not been linear. In contrast, the country has seen many ups and down and witnessed, at least, seven constitutions during the last seven plus decades. Paradoxical as it may be, none of the elected Prime Minister(s) have completed their full-term in the office since then. Over the years, one can see, at least, three types of instabilities simultaneously occurring: executive, legislative, and the constitutional². The constitution drafted through the Constituent Assembly – which was elected twice – and promulgated in 2015 appears to have settled some of the key political issues, at least in principle, but the larger questions related to constitutional behaviour is yet to evolve³. This is important because rather than abided by the constitution, we tend to change it as per our own comfort and there are enough examples to substantiate such claims. The frequent formation of alliances of convenience are part and parcel of that process which is only creating problems with regard to successful democratisation process. In the course of time such political behavior only fuels conflict between the politics and society on one side,

1 See Bhatta Chandra D (2022). 'Democratizing Democracy in Nepal: An Exordium in Chandra Dev Bhatta (ed). Rooting Nepal's Democratic Spirit. Kathmandu. FES Nepal.

2 See Bhatta C.D (2022). Nepal's Political and Economic Transitions. Available at <https://www.orfonline.org/expert-speak/nepals-political-and-economic-transition/>.

3 Ibid.

and among and between the political parties on the other side. Also, for more than one reasons, they are not only damaging their image but also the trust of the people on the political system is waning.

Likewise, for the long period of time, Nepal's internal politics has also been suffering from the perceived/real role of the external factors which precisely happens, at least, for the two obvious reasons: first low level of countries economic development and higher dependence towards outside world for foreign aid not only for the development of infrastructure(s) and alike but also for some sort of sundry activities. Second factor that may come in that line is the strategic location of the country between the two re-emerging Asian powers – China and India. The long history of geopolitical rivalry in the region, has produced its own consequences for the countries like Nepal. While Nepal's geographical location and cultural closeness requires it to have fine balance between its two important neighbours – India and China – as enunciated by none other than P N Shah. Yet whether one agrees or not Nepal cannot afford to have similar relations with both due to civilisational, cultural, and other closeness with India. Yet the current reality is somewhat different where Nepal needs to maintain the cordial relations with Western countries – who have not only been its development partners for long but also during the last couple of years Nepal's engagement and interaction with the West and other countries has increased phenomenally. Put together, to our dismay, the telling reality is such that while Nepali state's survival is dependent on its ability to strike a fine balance between its two immediate neighbours – India and China – the survival of the society, for good or bad reasons, has gone beyond the region. However, somehow Nepal's foreign policy is not really looking these factors carefully neither have we made any effort to reverse this situation yet their impacts on Nepalese body politics are well reflected.

Interface between politics and geopolitics

Taking cue from what has just been mentioned earlier, the consequences of geopolitics can well be noticed in Nepal's internal affairs right from late 1940s, even if one does intend to go too far. In the course of time, modus operandi of geopolitics might have changed but objectives remain the same. Not always should the external actors be held responsible, domestic actors, too, have their own share to play about. Most of the time in recent years, it's the domestic actors who have been providing

that space and there are quite a few examples which do not need to be brought out here. Yet geopolitics that is hovering in the region, of late, is the consequences of the broader geopolitical games in the world and it has been backed up by more than one factors including the geoeconomics as well. Still, what is true though is that its consequences are manifested in more than one way – including in the domestic politics and selecting the developmental projects as well. We can cite two examples related to connectivity projects: Millennium Challenge Corporation (MCC) and Belt Road Initiative (BRI) floated by the US and China respectively. Both the projects put Nepal in the geopolitical vortex and made the successive government some sort of hostage dividing Nepal's political spectrum along ideological as well as geopolitical lines. In principle, both of them had an objective to build Nepal's infrastructures but both China and the US took it from the geopolitical vantage point and started influencing Nepal's domestic politics to the extent that all other important issues during the political transitions were sidelined. There are high chances that this will continue in the days to come where major powers will use Nepal as their launching pad for their own geopolitical interests albeit in cognizance with local actors.

The consequences of this geopolitical rivalry among major powers were often reflected not only in the domestic politics but also in conducting Nepal's relations at the neighbourhood as well. Of late, the role of third neighbour is becoming deciding factor whilst deciding relations between two of its neighbours. Yet, from our part, tendency to use foreign for the domestic political gain has always been there. In fact, what happened in 2020/21 is something like the re-run of the political events that occurred during 1990s – when foreign policy was used as an instrument in the internal politics – which yet again was partly responsible for the rise of the Maoist insurgency in 1996. Therefore, regardless of the elections and formation of the government, the future of democratic politics and political stability does not necessarily look promising for the obvious reason that there are no coherence approaches of Nepalese political forces on their worldviews. They significantly differ on their relations with China, India, and the West, mainly the US, at least in principle, which certainly will have consequences in the days to come as well.

By and large, the external environment, is not really favourable for Nepal given the high-level of geopolitics taking round in the region as

mentioned earlier. The recent geopolitical maneuvering in the region has divided whole of South Asian states and its impacts can well be noticed in Nepal as well. It demands broader consensus at home to navigate its domestic and foreign policies successfully. Already, both of Nepal's two giant neighbours: China and India in tandem with others have their own imagination of Nepali politics whereas Nepalese political leaders lack any sort of imagination or dream for their own country. Rather, they prefer to be swayed away by the imagination that comes from outside. Regarding the western powers, they certainly have played an important role in the democratisation and development journey of the country but they, too, are taking every step from the geopolitical vantage point which certainly is not going to be helpful for Nepal.

The economic conundrum

Nepal's economic conditions is not satisfactory, certainly not sufficient economic activities have been generated within the country to implement the constitution which is mostly the right based in nature for the reason that there are 31 fundamental rights in the constitution. Although, the preamble of the Constitution lay emphasis on having 'social democratic state' but the 'social components' are either missing or rarely implemented through policies and programmes and there is a huge inequality towards social services. For example, while the political leaders get free overseas medical treatment from the state largesse, the common people, for their part, will have to rely on the private hospitals largely owned by the political class and their close allies which certainly can be referred as what Garrett Hardin calls 'the tragedy of the commons'. This also applies with other services including the education and employment. Yet the fact is that if every political system only produces 'tragedies' for the common people – *aam admi* - perhaps, it would be difficult to move the democratisation process ahead successfully⁴.

As the global economy is witnessing yet another crisis, Nepal certainly cannot remain immune in this largely interdependent world. In fact, Nepalese economy is already feeling the heat of the crisis in more than one way. Some indicators in that regard are liquidity crunch in tandem with alarming trade deficit and balance of payment, high level of inflation, rise in the commodity and fuel prices, and possible disruption

⁴ See Bhatta C.D (2022). Nepal's Political and Economic Transitions. Available at <https://www.orfonline.org/expert-speak/nepals-political-and-economic-transition/>.

of supply chains. Rumors are such that the country is already having difficulty to foot the day-to-day expenses and including salaries of the civil servants. But the fact is that these all have not happened in one day. There are already built on structural problems in the economy which has only been exacerbated by the perpetual political instability and other events such as the Gorkha Earthquake of 2015, impacts of Covid-19 and, of late, the war in Ukraine. The larger question is that Nepal could not develop production-based economy over the years despite having huge potential for that. For example, while agriculture remains the backbone of livelihood the fact, however, is that the total produce in the sector is not sufficient to feed the population of thirty million. The absence of production-based economy is giving birth to import-based economy. Taken together, both are putting pressure not only on national economy but also leading towards democratic deficit as it only gives rise to extractive state institutions which would bore multiple impacts for Nepal. With the rise in the fuel prices, it is expected that situation will further deteriorate, and its consequences will be reflected in more than one area. The economic discipline that government introduces, time and again, will not be enough while corruption is so rampant. Neither would it reduce Nepal's dependency on remittances. The stark reality for us is that Nepal's survival is connected with the global labour market where large number of Nepalese are working. If the situation worsens there, Nepal's economy, too, will suffer the most and life for the informal and unorganized workers will be tough and may even have consequences for the successful democratization process as well⁵.

The foreign reserve is drying up and government is having difficulty in generating revenues when country has just accomplished multiple elections. Yet, analysts are of the view that as long as remittances are coming in and agriculture remains stable – though subsistence - Nepal certainly will not face the economic crisis of the scale as many countries in the region are undergoing. The open border that Nepal shares with India and pegging of Nepalese currency with Indian currency will certainly be helpful in that crisis⁶. Yet there is a need to develop long-term strategy for Nepal's economic development. Also, a country, whose economy is largely dependent on remittances and developmental activities are

5 Ibid.

6 See Bhatta C.D (2022). Nepal's Political and Economic Transitions. Available at <https://www.orfonline.org/expert-speak/nepals-political-and-economic-transition/>.

funded by the donors, they would always remain vulnerable in more than one way and will not necessarily be able to exercise their sovereignty at least in the areas of policy formulation.

Weak institutions, strong leaders

When state institutions are weak, the situation further deteriorates with regard to the democratisation process. To avoid this, both democracy building and institution building should go hand in hand. Otherwise, state institutions will be dominated and personalised by strong political leaders. This, at least, will have two direct impacts on the entire political process. First, they will try to define the terms and conditions as per their comfort – which mostly happens in post-conflict societies like Nepal – the doctrine of necessity and ordinances are part and parcel of that phenomenon (also mentioned earlier) and, second, state institutions will be exploited for personal gains and lose their broader public legitimacy. This will also increase the power of non-state actors, including networks and interest groups to interfere in various affairs of the state. Apart from that there is also the tendency to look for heroic images in political leaders not necessarily transformational qualities. In the post-colonial and post-conflict societies, this is a common phenomenon, where individual leader(s) have struggled for democracy. Yet, the heroic image should not become larger than life as it often subverts state institutions⁷, which only gives rise to what is called the captive state phenomenon or state loses Weberian legitimacy. Future of democracy or political change, then, depends, on the mercy of those leaders. The search for heroic image can only make the history of democracy as the history of ‘political leaders’ which would only undermine contribution made by the common people. This can also become counterproductive for democracy as such leaders would also try to capture state institutions. One can observe such an incident in the Supreme Court of Nepal in the latter half of 2021. The judicial activism – largely politically motivated – was even to destabilise the Supreme Court where real issues were sidelined, and imaginary ones featured prominently. And non-democratic activities have been portrayed as democratic ones into the minds of people. In the words of Palshikar⁸

7 See Levitsky, Steven and Ziblatt, Daniel (2018). *How Democracy Dies: What History Tells Us About Our Future*. New Delhi: Penguin/Random House.

8 See Palshikar, Suhas (2022). *The 21st Century Challenges for Democracy*. Indian Express, 4 January.

judiciary has become sermonising priest at best and ideological partner of executive at worst which certainly will create trust deficit between the state and its institutions and the society at large⁹.

New geopolitics and making of a new politics

The new geopolitics that have recently emerged, as indicated earlier, is not only limited between the states. There are multiple actors – state and non-state and multiple issues. This new geopolitics is forcing us to transit from one way of life to another, under the influence of materialistic civilisation which have had a lot of money and weapons. This materialistic civilisation, in the past, has always lived in binary (due to its ethnocentric approach) such as men vs God, men vs nature, men vs society, men vs women and now men vs men and is exporting some of their societal problems or they have same imagination of other societies as they have their own and largely influenced by Rene Descartes’s philosophy as per whom the goal of knowledge is to dominate human being. Yet the materialistic ideas – capitalism and communism – could neither produce capital nor could they guarantee justice as Marx and many of his followers envisioned. Yet what certainly can happen is the binary way of life, which yet again, will turn everybody against everybody. George Orwell satirically, once said, rich countries do not need anything – the wealth they have can even buy the civilisation, but for those who are not so materially reach, their wealth is their civilisational and cultural values. However, under the influence universalising so called ‘civilising standard’¹⁰ countries like Nepal are losing their cultural and civilisational capital¹¹.

Similarly, during the Industrial Age, the focus was on the production of materialistic goods, in a post-industrial world, the most important, or ‘hegemonic’ form of production is no longer physical objects¹². Today,

9 See Migdal, Joel S. (1988). *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*. Princeton, New Jersey: Princeton University Press. Also see Fukuyama, Francis (2011). *The Origins of Political Order: From Prehuman Times to the French Revolution*. New Delhi: Profile Books.

10 See Sripati, Vijayashri (2020). *Constitution-Making Under UN Auspices: Fostering Dependency in Sovereign Lands*. New Delhi.: Oxford University Press.

11 Bhatta, C.D. (2022). *Understanding Nepal’s Geopolitical Dynamics: Connected History Disconnected Future*. Institute of Foreign Affairs, Nepal: *Journal of Foreign Affairs*, Vol.2, No. 1, March 2022.

12 See Daniel Pinchbeck (2018) *How Soon is Now?: AA Handbook for Global Change*. Watkins Publishing.

overall, in the developed world, the majority of the work is in the realm of ‘immaterial production’¹³. This includes the making of ideas, memes, narratives, images, financial instruments and social technologies that shape how people form commercial or personal relationships¹⁴. This is a significant change, and the new geopolitics will be played around these issues¹⁵. In that regard, this new geopolitics is also changing the capital formation process. For example, the biggest taxi company in the world, Uber, own no cars. Like the biggest company for accommodation, Airbnb, owns no hotels¹⁶. Yet these companies have been able to develop their own network and control the capital. Likewise, the recent political events in Nepal – particularly with regard to the National Independent Party is also moving into that direction.

Future fault lines

In addition to the inter and intra party conflicts, there are also some of the constitutional issues which may emerge as potential fault line factor and may become problematic in the future. The new social contract based on secularism, federalism, and republicanism is still facing tremendous problems. Also, with the adoption of new political set-up, particularly the federalism, the size of the political class has increased but neither the capacity of the state has been enhanced nor the delivery mechanism has become effective. If federalism is only for the political leaders, and state becomes more rentier in nature, then, it certainly would become problematic with the passage of time. Likewise, there are high chances that secularism might also become problematic for the reason that there are political parties who are entirely ‘built in and around the principles of declaring Nepal a Hindu state’ and these parties such as – *Rastriya Prajatantra Party* – whose main objective is to re-convert Nepal into a Hindu state - is gaining the momentum¹⁷. Furthermore, future of Nepal’s successful transition towards democracy would also depend on how a balance is reached between the country’s diversity and pluralism, and how people address or anchor their identities, that is, whether *demos*

13 Ibid.

14 Ibid.

15 Ibid.

16 Ibid.

17 See Bhatta C.D (2022). Nepal’s Political and Economic Transitions. Available at <https://www.orfonline.org/expert-speak/nepals-political-and-economic-transition/>.

prevail over *ethnos* or vice versa – or on how the conflict between the state and nations are mediated¹⁸.

Conclusion

Nepal certainly is facing multiple problems which for sure are not going to be resolved from one single government. But one has to start but the million-dollar question is who will do that. Yet solutions to Nepal's political problems are better understood but executed less or on many occasions they simply cannot be executed because politics and interests' groups both inside and outside of the political parties prefer to maintain status quo. The political revolutions and movements which have often been touted as exemplary are merely cosmetic in nature and political leaders' achievement is often equated with people's victory. Rather, political parties and their government should look into some of the key issues such as political stability, economic well being, institution building, service delivery and geopolitical and geoeconomic challenges. Likewise, the emergence of new political economy based on technology per se factors will generate its own dynamism in the days to come. While it can be boon for some, yet for others like Nepal – who are stuck in the political transition – have every chance of falling behind in the race. The Covid-19 and the growing geopolitical rivalry has already brought about changes on, what scholars call the 'fundamentals' of global governance. For example, the mechanism of international cooperation which has truly helped countries like Nepal may not work in the same. Mere political radicalisation and putting blame others just to hide the weakness, does not provide any solutions. In contrary, there is a need for great deal of learning, unlearning, and relearning if Nepal wanted to have successful democratisation process both with regard to domestic and international affairs.

Note: In the course of preparation of this essay references were are also taken from authors earlier work on “Nepal's Political and Economic Transitions in Nepal” published in 2022.

¹⁸ See Bhatta C.D. (2022). 'Democratizing Democracy in Nepal: An Exordium in Chandra Dev Bhatta (ed). Rooting Nepal's Democratic Spirit. Kathmandu. FES Nepal.

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