

# CHAPTER ONE

## INTRODUCTION

### 1. Background

Democracy is very popular and important term in the globalize word. Democracy and good governance seems as synonymous and is supposed as complementary. Democracy and good governance has same feature and ingredients. The primary concern of a democratic system is to provide all the opportunities for the development of human on an equitable basis, thus, the democratic political order bridges gaps between the government and the governed and the state and the society. In this manner, democracy concerns individuals, societies, and the state. Democracy not only incorporates equality alone but it also incorporates within provides equal opportunities for human development so that He may achieve economic equality and his share in the political system.<sup>1</sup>

Governance is the exercise of economics, political, and administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interest, exercise their legal regal, meet their obligation and meditate their difference.<sup>2</sup> Governance is the institutions, rules and system of the sate. The executive, legislature, judiciary and military operate at central and local level and how the sate relates to individual citizens, civil society and the private sector." Robinson<sup>3</sup> has sated about governance "that applies to the exercise of power in a variety of institutional contexts, the object of which is to direct control and regulate activities in the interest of people as citizens, Voters and workers." The Work Bank experience, as good governance has special relevance for the developing world. No doubt, the concept of good governance is as old as human civilization. Simply the good governance is the process of decision-making and the process by which decision are implemented. An analysis of

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<sup>1</sup> Ananta Raj Poudel, "Democracy and Stability in Nepal" published on journal of political Science TU, Kathamundu, Vol . IX, No. 3 june 2006

<sup>2</sup> UNDP, Governance for sustainable Human development: A UNDP policy documents (at [www. magnet. undp.org/policy](http://www.magnet.undp.org/policy))

<sup>3</sup> Mark Robinson, Governance, cited in Adam Kuper and Jessica Kuper (eds.) The Social Science Encyclopedia, London, 1996, p. 347, as cited by B.C. Upreti, Nepal in Search of Good Governance, Asian Studies; Netaji Institute for Asian Studies, 2002.

governance focuses on the formal and informal actors involved in decision making and implementing the decision made by formal and informal actors. it is participatory, consensus oriented, accountable, transparent, responsive, effective and effective, equitable and follows the rule, which is only possible in democratic political system . it assures that corruption is minimized the views of minorities are take into accent and that the voices of the most vulnerable in society are hard in decision-making.

Nepalese people fought for democracy and good governance for decades. As a result of the decades of struggle, it established democratic political system in 1990, with democratic constitution that raised the issue of good governance like political, bureaucratic accountability, transparency, and people participation like participation reliable and independent judicial system. Effective and efficient public sector management and cooperation with civil society, unfettered exercise of human right and freedom of expression to the forefront of Nepal's national agenda and debate.<sup>4</sup>

In the action, in Nepal "transparency is lacking its procurement, awarding, contracts, and appointments. Hiring and firing or even selling public properties such as public enterprises. The auditor general office reports every year billions of unverified and irregular expenditure. For good governance requires strong political commitment and dedicated leadership towards people.<sup>5</sup> After 1990, democratic leaders as well as major political parties were undemocratic in character and run by political high commands, not by people's consent or expectation. The government's attitude came in reality as only to rule the people rather than to serve, to respond them, civil society and media were very feeble and extremely partial because their interest or affiliation with responsible actors like government, political, NGOs, INGOs. Maoist insurgent since 1996 and king's move of February 1, 2000 also fueled for the very unstable and critical environment for democracy as well as good governance. In the governance and a non-corrupt and competent government.

## **1.2 Statements of the problem**

Nepal has gone through very critical period in its history. It has remained isolated and could not come to expose to the outside world before 1950. Since establishment

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<sup>4</sup> Tulsi Narayan Shrestha, The Concept of Local government and Decentralization; Ratna Pustak Bhandar, Kathamabdu, 1996, p. 1.

<sup>5</sup> Kishor Kumar Gurugharana, and Dev Raj Dahal (ed.), Development Strategy For Nepal; NEFAS, 1996, kathmandu,p.76.

of democracy in 1950, Nepal tried for democratic system but it was decade of instability. Constituent assembly election could not take place as well as people elected government sacked by contemporary king, Mahendra. He introduced panchayat system. Nepalese people never feel of good governance during panchayat rule of three decades. Movement of people reestablished democracy with constitutional monarchy in 1990. Since 1996 Maoist insurgency started, and slowly it has been affecting most of the life of people around the country. Lack of good governance, social inequality, social exclusion, deep-rooted poverty, unemployment, and disease, as social discrimination are considered to be the main causes for the critical situation of Nepal.

Since the approaches to the modern world in 1951, Nepal took the way of planned development in 1996 and spent six decades. It invested billions of rupees to uplift social, economic, education as well as eradicate poverty of the people. It made significant attempts in reducing poverty and increasing people's active participation. Many decorated reports prepared and submitted to concerned authorities, and donors. But the people's situation remained in the same stage or might worsen than before. The government imposed the tax to its people in the name of providing better services, better security, and better welfare. However, mostly forgotten obligation and accountability was that the poor people are living under the basic needs like food, shelter, clothes, medicine, education and safety. It is crucial to know that what the causes are for mismanaging the life of people.

Nepalese government in the past is characterized by arbitrary policymaking, unaccountable bureaucracies, uninformed or unjust legal system, the abuse of executive power, a corrupt society unengaged in public. NGOs are not transparent for their budget, actions, and widespread corruption. Nepal birthplace of Natural beauties and under developed country with poor and backward population. Now it has been facing cruel arm struggle between Nepalese. It is necessary to set up peace in Nepal bringing them into common agenda or consensus for multi-party democracy where good governance would be possible. Third world countries, like Nepal, good governance could be a greater means to address the problem of every walk of Nepalese people and Nepal. So, this study arises following questions about democracy and good governance.

1. How can we define democracy and good governance?
2. What are the trends of political development in Nepal since the establishment of democracy?
3. What is the situation of good governance in Nepal after the establishment of multi-party democracy, regarding to people participation, responsiveness of government transparent effectiveness in implementation of government programme, and general consensus in common issues?
4. What are the main actors for practicing, maintaining good governance in the democratic state mechanism?

### **1.3. Objectives of the study**

The ultimate goal of any country is build human capabilities and enlarge their choices to the satisfaction of their people where they may live with dignity and equality irrespective discrimination by class, caste, gender, ethnicity or economic states. This study intends to know the general practices about good governance as democratic idea and value. In overall objective of this study, have to access to the knowledge of good governance as important ideas in democracy.

This study has specific objectives as following:

1. To assess/describe the brief history and development of democracy in Nepal.
2. To make a brief conception and practices about good governance as a democratic process in Nepal regarding the government since the reestablishment of democracy in 1990.
3. To assess the role of government, political parties, and civil society regarding to good governance and strengthening democracy in Nepal.

### **1.4 Significance of the Study**

Good governance in democratic government is one of the basic requirements that it can assure citizens of ownership in government. Good governance could be a means for inclusion to ethnicity backward people, women, and all in the government. Equal opportunities to economic, social, educational, cultural, political process lead to healthy development of the country, which is only possible in good governance. So, this study will provide general knowledge about democracy and good governance. It examines government policies and its implementation in bureaucratic level, NGOs

level, local government levels, as well as civil society level. This study expects it will be helpful or beneficial to concerned authorities, students and interested person about good governance as well as who want to study further about it.

## **1.5. Literature Review**

For the purpose of this study literature is reviewed into two categories. Firstly, literatures relating to conceptual and general practices are reviewed and the secondary, literature related Nepal is reviewed.

### **1.5.1 Conceptual Literature Review**

Democracy is a term which has customarily been the associated with the certain historical practices and with the certain writings in the history of culture. A democratic society is one in which the government rests upon the freely given consent of the government does or leaves undone by the government. It is primarily intended the law and policy making agencies, legislative, executive and judicial, whose activities and policy making agencies, legislative, executive and judicial, whose activities control the life of the community in the first organizational stances, then the government is a political concept, but in certain circumstances. Democracy is a dynamic process and needs constant revision and interpretation in the context of new situation. Arbalester<sup>6</sup> has pointed out that "there are, therefore, goods reasons to think that those who try to define democracy only in terms of present day realities as a type of political system or culture which some societies as a type of type of political system or culture which some societies possess and others do not will find themselves left behind by history. Democracy as likely to remains not only a constable concept but also a critical concept." The core of democracy is popular power J.S.Mill<sup>7</sup> on "liberty and representative government" pointed out that the people should govern themselves. It is evident that the only government, which can fully satisfy all the exigencies of the state, is one in which the whole people participate.

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<sup>6</sup> Anthony Arbalester, Democracy, World-View Press, New Delhi, 1997, p.5.

<sup>7</sup> John Stuart Mill, On Liberty and Representative Government, T.M. Dent, London. 1976,p.217

Diamond<sup>8</sup> has added civil liberties and the competitive politics to what J.S. Mill has stated above. Their emphasis is also on ensuring popular participation. John Dewey has emphasized individual freedom as the core of democracy. He talks of "freedom of cooperative" individualities. In a large number of countries, democratic systems in the name of power of the people have turned into majoritarian systems. This has indeed been a significant criticism of democracy. Therefore, some political scientists define democracy in terms of existence of several national communities and a system in which political power does not remain confined to a dominant class but with the simultaneously participating nationalities. Some has also criticized the majoritarian or utilitarian concept of democracy in which one majoritarian group holds the political power and other smaller groups are constrained to remain at the periphery. Democracy is indeed a system, which recognized presence of various identities and communities to ensure their participation in the political structures and processes at different levels.

Democracy and stability are the mutually inclusive terms because both pave the way for meaningful political life. Meaningful political life is related with the establishment of constitutional order, security, and welfare in society. Democracy involves the right of citizens to determine the form of government on the basis of popular will, which involves representation, accountability, participation, and equality. The will of people is the source of democracy and its purpose is common good.

Poudel<sup>9</sup> writes "Democracy can be defined as open, free and fair elections in which candidates freely compete and in which virtually all the adult people are eligible to vote. Other characteristic of democracy involves existence of civil society and political freedom to express, publish, assemble, and organize necessary political debate and conduct electoral campaigns. In essence, democracy means the ability of the people to elect and the change their government, ensuring press freedom, and an independent judiciary when idea of democracy boils down as the self-rule, politics as the regulating mechanism of democracy based on power. Political power is legitimate physical coercion "or the authoritative allocation of values in society. The operational

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<sup>8</sup> Larry Diamond teal, Democracy in Asia, Boulder Publishers, Colorado, 1989,p.27.

<sup>9</sup> Tulsi Narayan Sherestha, op.cit.p.1

aspects of politics or exercise of power is possible only through an organized order. In democracy, exercise of power will be expressed either through direct elections like in Switzerland or indirect elections like in the United States, United Kingdom, India and others. Stability is related with institutional process of politics by which institutions of structure provide value and meaning in society. The aim of politics is to establish constitutional order, security, and welfare in the society through the state. Its adaptability, complexity, Unity, and autonomy, therefore, could be defined by Stability. But, in substance, It is to provide value and meaning for meaningful political life.<sup>10</sup>

Briefly, according as Dahl<sup>11</sup> the political institution of modern representative democracy contains the following features as followings:

Elected official: control over government decisions about policy is constitutionally vested in official elected by citizens. Thus, large scale of democratic government is representative. Free, fair and frequent elections elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon.

Freedom of expression: citizens have right to express themselves without any danger of severe punishment on political matters broadly defined, including criticism of officials, the government, the regime, the socioeconomic orders and the prevailing ideology. Access to alternative and independent sources of information from other citizens, experts, newspapers, magazines, books, telecommunications, and like moreover, alternative sources of information actually exists that not under the government or any institution or single party organization or groups attempting to influence public political beliefs and attitudes and these alternatives sources are effectively protected by law.

Associational autonomy: to achieve their various rights including those required for the effective opposition of democratic political institutions. Citizens also a right to form relatively independent associations or organizations including independent political parties and interest groups. Independent associations are not only necessary and desirable but also inevitable. Independent associations are also a source of civic

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<sup>10</sup> Ibid p.2.

<sup>11</sup> Robert Alan Dahl, On Democracy, Yale University Press, London, 2000, p.85-86.

education and enlightenment. They provide citizens not only with information but also with opportunities for discussion, deliberation, and the acquisition of political skills.

Inclusive citizenship: no adult permanently residing in the country and subject to its laws can be denied the rights that are available to others and are necessary to the five political institutions just listed. These includes the right to vote in the elections of official in free and fair elections, to run for elective office; to free expression; to form and participate in independent political organizations; to have access to independent sources of information's; and rights to other liberties and opportunities that may be necessary to the effective operation of the political institution of large scale democracy.

Dahl<sup>12</sup> says that "As we have seen, if we accept the desirability of political equality, then every citizen must have an equal and effective opportunity to vote and all votes must be counted as equal. To acquire an enlightened understanding of possible government actions and policies also requires freedom of expression. To acquire civic competence, citizens need opportunities to express their own views; learn from one another; engage in decision and deliberation; need and hear and question experts, political candidates and persons whose judgments they trust; and learn in other ways that depend on freedom of expression. Finally, without freedom of expression of citizens would soon be lose their capacity to influence the agenda of government decisions. Silent citizen may be perfect subject for authoritarian rule; they would be a disaster for a democracy."

It is a fact civil supremacy is important feature of sound democracy. Until the military and police forces are under the full control of democratically elected officials, democratic political institutions are unlikely to develop or endure. In contrast to the external threat of foreign intervention, perhaps the most dangerous internal threat to democracy comes form leaders who have access to the major means of physical coercion; the police and the military. If democratically elected officials are to achieve and maintain effective control over military and police forces member of the police and military, especially among the officers must have defer to them<sup>13</sup> .

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<sup>12</sup> Ibid p.97

<sup>13</sup> Ibid p. 149.



Democratic political institutions are more likely to develop and endure in a country that is culturally fairly homogenous and less likely in a country with sharply differentiated and conflicting sub cultures<sup>14</sup> . Good governance is considered as the hallmark of a civil society that ensures a democratic political culture with accountability and popular participation in the developmental process. The globalize market process induced by globalization and liberalization has laid a greater demand for civil society and human rights. It means empowerment of people, which is only through good governance. Good governance may be defined as a term. That applies to the exercise of power in a variety of institutional contexts, the object of which is to direct, control, and regulates activities in the interests of people as citizens, voters and workers<sup>15</sup>.

The W.B.<sup>16</sup> has identified three aspects of good governance. These are: (1) the form of political regime; (2) The process by which authority is exercised in the management of a country's economic and social resources for development, and (3) the capacity of the government to design, formulate and implement policies and discharge, functions. It means that good government requires democracy, legitimacy, and capacity to deliver goods .

UNDP<sup>17</sup> has also pointed out following key features of good governance.

- political accountability and legitimacy,
- A fair and reliable judicial system;
- Accountability of Bureaucracy;
- Freedom of information and expressions;
- Effective and efficient public sector mangement and;
- Cooperation with civil society organizations.

Good governance is the sum of the many way individuals and institutions, public and private manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action may taken. It includes formal institutions and regimes empowered to enforce

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<sup>14</sup> Ibid p. 150.

<sup>15</sup> J. S. Mill, op. cit. p.297.

<sup>16</sup> World Bank, Sub-Saharan Africa: From Crisis to Sustainable Development, Washington D.C; World Bank, 1989, as quoted by Dahal, Dev Raj the Challenge of Good Governance, GDS, 1996, P. 5.

<sup>17</sup> UNDP, Public Sector Management Governance and Sustainable Human Development, University Press, New Delhi, 1995 p. 18.

compliance, as well as informal arrangement that people and institution either have agreed to or perceive to be in their interest<sup>18</sup>. Commission of governance has also pointed out that : The only tenable normative aspiration to modern politics can be to make states more trust worthy to all who must live under them : to make them more graceful and civilized in their citizens and with one another . But it has propounded that good politics alone is not sufficient for good governance. It should also enable the state to achieve economic growth and social development<sup>19</sup>. Good governance must be seen by the people as participatory and in their own interest ownership; conducive to building of a state in which none feel humiliated decency and embodied in structures which are transparent and accountable to the people<sup>20</sup>.

Upreti<sup>21</sup> has pointed out three main aspects of good governance as followings:

- Good political governance: it includes constitutions; free and fair general election; Decentralization ensuring popular participation in decision making; equality before law; accountability and Transparency of secession makers; absence of minority and gender- discriminations; peace and social harmony.
- Good Economic Governance: it would include Macro-economic stability; sufficient budgetary allocations for social development; progressive taxation; Subsidies for the poor; corporate rights and equitable access to credit and land.
- Good Civic governance: it involves creation of a civil society as containing following aspects. Respects for human rights; Protection to minority poor and depress sections of society; Empowerment of people and encouragement of corporate social responsibility.

### **1.5.2 Previous Studies on Nepal**

In Nepal, there has been a lot of hue and cry over the last few years to give importance to the people aspiration. People voices have given the impression that a diverse society is an indicator of conflicting interactions in development and there fore a sense of collective responsibility is the need of the hour. To avoid the repeating

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<sup>18</sup> Commission of Governance, quoted form Human Development in South Asia, 1999, Oxford University Press, Karachi, 1999: 29.

<sup>19</sup>Ibid p. 29-30.

<sup>20</sup> Ibid p. 31.

<sup>21</sup>B.C. Upreti, Nepal in of Good Governance, Asian Studies, Netaji Institute for Asian Studies, 2002.

mistakes, good governance that encompasses human right, democracy, and market reforms should be recognized as a tool for broader and inclusive development<sup>22</sup>.

Unless democracy becomes the functioning in both nuance and substance, it is always in peril. Thus inculcating a democratic culture at all levels, people representative should feel that they are in fact empowered to create an impact on ensuring accountability, effective governance, and inner party democracy. Unfortunately, democratic rulers of Nepal post- 1990s have not show as much as political commitment to the decentralized responsible democracy as was expected by the people<sup>23</sup>. Subedi<sup>24</sup> points "Much debates and argument has been made for recognizing people at the center of development for actions in good governance. It has been crystal clear that when a community has participatory, monitoring and evaluation role, non-conflict can daunt their and aspirations. It makes people monitor and influence activities in their own best interest .Evidences are at hands that development and that of with their local energy. The local level bodies should be empowered to enter into partnership with civil society organizations and private groups. They can perform mutual check and balance in articulating local and ensuring democracy.

Good governance in Nepal started with economic liberalization in 1990. Nepal received a support form the IMP in terms of creating environment for good governance<sup>25</sup>. "Good governance is epitomized by predictable, open and enlightened policy making, a bureaucracy imbued with professional ethos acting in furtherance of the public good, the rule of law, transparent processes and a strong civil society participating in public affairs. Poor governance on the other hand is characterized as arbitrary policymaking, unaccountable bureaucracy uninformed or unjust legal system the abuse of executive power, a civil society unengaged in public life and widespread corruption<sup>26</sup>.

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<sup>22</sup> Deepak Raj Subedi, "Good Government - Time for Bold Action", *The Rising Nepal*, April 28,2006.

<sup>23</sup> Lok Raj Baral et. al., *local leadership and Governance*, Adrott Publishers, New Delhi, 2004 p. 13.

<sup>24</sup> Subedi op. cit.

<sup>25</sup> Bholanath Dhungana, *Liberlization of Trade in Services in Nepal*, Nepal Policy Institute , Journals: Vollume 14, June 2006 (at <http://www.aprnet.org/index.php>).

<sup>26</sup> Deepak Raj Subeid, of. cit.

Pandey<sup>27</sup> has said that "Good governance to me is closely associated with democracy. Governance should involve a proper understanding and articulation of what is involved in democracy in the give social and political context, and structuring and restructuring institutions in such a way that they produce the functions expected. Nepali<sup>28</sup>.writes "good governance calls for the democratic planning and management of development with the people for the people, by the people, especially marginalized."

Many development practitioners have started to redefine development in terms of people's need rather than economic forces, which good governance as an important component of people centered development approaches to economic, political and other organization. Donor agencies like W.B., IME, ADB and on is taken good government as a condition of international assistance to third world countries from Asia, Africa and Latin America. The ability of developing countries like Nepal to fulfill their development, goals, as to create pace and order is dependent upon the quality of governance. Shrestha<sup>29</sup> supposes "the issues of good governance positioned to be a central concern of development Agenda of Nepal in late 1990s.

UNDP report 1999 on Human development in south Asia: the crisis of governance" explained that all south Asia countries facing a crisis of governance and suggested if left unchecked, could undermine the region's democratic progress, and economic and social well-being of its people. Baral has summarized the problems of governance in his book "Nepal problems of governance: In the present democratic set up some problems that often over when the state apparatus can broadly be identified as: lack of positive nationalism; centralized power structure and elite behavior; lack of institutionalization; lack of ideology: crisis of confidence and international pulls and pressures. In the Nepal development forum, World Bank vice president addressed that what ails, Nepal has a crisis of governance, destroying the distribution of income, wealth of human capital. Crisis of governance threatening social justice harmony, and the very soul of any nation states hope and happiness of the sovereign people, and the

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<sup>27</sup> D.R. Pandey, Corruption, Governance and International Cooperation: essays and impressions on Nepal and South Asia, Transparency International, Kathamadu, 2001.

<sup>28</sup> Rohit Kumar Nepail, Good Governance: A Dream or Reality, SAP, Nepal, Kathmandu, 2000.

<sup>29</sup> Bihari Krishana Shereshta, Good Governanc in Nepal Perpective form Panchthar and Kanchanpur District, Kathamandu, 2001.

very hand Nepal how faces two manifestations of this of governance: the Maoist insurgency and a grave fiscal crisis. Nepal, today, stands at the crossroads of its destiny, which lies in the hand of her people to make or break. Poverty reduction strategy paper for tenth five-year plan (2002-2007)<sup>30</sup> gave very much importance to good governance recognizing it one of its four pillars. Good governance is for equitable and efficient delivery of public good and services. The plan has specified two objectives behind the work for competent transparent, service oriented, result oriented, purposive and gender equity oriented public administration and improvements in judicial administration.2) To ensure basic human rights of the people that are provisioned in the constitution and the human rights indicated in the international conventions, committed in the international forums by the government, and related them with national development and poverty reduction<sup>31</sup>.

In Nepal, the idea of democracy was ushered in for the first time after the 1951 political change the seat power changed by relegating the 104 year-old autocratic Rana rule to the back ground and by ensuring the supremacy of the general public in the political process. The political change was considered to be democratic innovation in the Nepal because almost all-basic features of democracy had been outlined in the interim act of 1951. Democracy would focus not only on strengthening democratic institutions such as free and fair elections and a representative legislature, but also broad based political parties, a judiciary that is independent, media that are ethical and professional and free of both state and corporate control, and a vibrant civil society.

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<sup>30</sup>HMG, Nepal, Tenth five year plan 2002-2007, Nepal Planning Commission, Kathmandu, 2003 p. 40.

<sup>31</sup>Ibid. p. 41.

## **1.6 Research Methodology**

### **1.6.1 Approach to the Study**

This study is based on analytical and empirical methods. It will seek to obtain clear picture of good governance system of Nepal. It will also attempt to recommend the idea of good governance as a value of democracy. Country, like Nepal, has been shouldering many maladies like poverty, unemployment, and raise of insurgency, HIV/AIDS, corruption. In this concern, good governance might be an effective means to eradicate the maladies which Nepal lying in sick bed. So I find good governance very vital issue to fulfill people raising expectations, peace, order, and prosperity by eradicating maladies of Nepal when people are demanding for democracy, constitution with restructuring of state and brining the people in mainstream politics and development of their own.

### **1.6.2 Sources of Data**

This present study is about democracy and good governance practices in Nepal. In this study, the research design has used both, descriptive, and evaluative research design with qualitative and quantitative secondary data.

### **1.6.3 The Nature of Data**

Data to use for this study is focus on qualitative and quantitative both. This research is especially based on secondary data. The secondary data is collected form different sources, Journals, news, periodical, book and Internet sources. As well as interactions as carried out in students, professors, politicians, bureaucrat as well as common citizens to verify the conclusions carried out by secondary sources and literature review.

#### **1.6.4 Limitation of the Study**

Good governance, as democratic idea, is the global issue in 21<sup>st</sup> centuries especially in third world or developing countries. Good governance touches very vast aspects of political, economical, social, managerial, and administrative of country. This study is for the partial fulfillment for the M.A. political science. It encompasses democracy and the good governance practices in current politics of country to make clear of enough resources like money, time and resources.

#### **1.7 Organization of the study**

Chapter 1st deals with the introduction statement of problem, objective, rationale of research, limitation of the study, literature review, research methodology, and organization framework.

Chapter II deals with Nepalese experience with democracies and post 1990s democratic practices. It has comprises, political development of democracy in Nepal since 1950s background to 1990s restoration of with April movement of 2006.

Chapter III deals with problem of good governance and practices. It also compromises Nepal's attempts to good governance, participation, government, and decentralization, political parties' roles of civil society and education mass-media and respect of rule of law, broadening of politico- bureaucratic structure, preservation of minority and their ethnic and cultural rights.

Chapter IV comprises the summary and conclusion of the study.

## **CHAPTER-TWO**

### **NEPAL'S EXPERIMENT WITH DEMOCRACY 1950-1990**

#### **2.1 Brief Political History of Nepal**

Nepal is very complex in terms of religion, culture, and ethnicity as well as by language. Geographically Nepal is a small state situated along the southern slopes of the Himalayas and is located between India and China, the hung countries, both in terms of geography and population. And both neighbour are having different ideological political systems. India is democratic country in the world and China is guiding communist political system.

Nepal has more than 2000 year's history and many hereditary rules had come and gone. Gopala, Lichhabi, Kirati, Malla kings ruled before Shah king, Prithivi Nareyan Shah united the tiny kingdom that were scattered tiny state as Baise Rajya, and Chaubise Rajyas in the west, as well as Kirati Rajya in the east of Kathmandu valley . Nepal state mostly faced political instability after the unification especially within royal sphere and king close aide for the power succession .In a instable and very critical time an uncertaint a bloody coup occurred in September 1846 in which an army general named Jung Bahadur Rana usurped the power into himself and instituted the system of hereditary prime minister in which the only member of Rana family alone could enjoy the position of the prime minister. The elite families were either killed or took refuge to India the Shah King were reduced to figure Leads and thrown into oblivion<sup>32</sup>

#### **2.1.1 Fall of Rana Regime and Establishment of Multiparty Democracy**

Aftermath of the world Ward War II led to a drastic political change Nepal's Neighbourhood. India became independent in 1947 after almost two centuries of British colonial rule and China in 1949 became a communist country after three decades of civil war. The educated Nepalese residing in

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<sup>32</sup> Borre,et al., Nepalese Political Behaviour, Sterling Publishers, New Delhi, 1994, p.8.



India, who also had participated actively in the India independence movement, organized anti-Rana political organizations and parties especially in Nepalese border areas to fight the tyranny of Rana oligarchy. A number of political parties were organized in India in the period of 1944-1950 with a view to bring democracy by toppling Rana regime in Nepal<sup>33</sup>.

Among these the Nepal congress party which had come into existence as a result of the merger of Nepal National and Nepal Democratic congress was the larger, It at that time, aimed at establishing a multi-party democracy with constitutional monarchy by ousting the Rana oligarchy. The Nepali congress was founded and led by Bisheswor Prasad Koirala organized and launched an armed revolution in November 1950 and in February last Nepal began its first experiment in multi party Democracy.

The political change of 1951 is considered as result of the compromise reached between the king, the Rana and the Leaders of the Nepali congress leader in New Delhi which was arranged by Indian Prime Minister Jawahar Lal Nehru. The arrangement which is known as "Delhi Settlement," or "Delhi pact," or "Delhi compromise", killed the objectives of the political change of 1950s of Nepal. The compromise brought an interim government including leader of NC and Rana led by Rana Prime Minister Mohan Samsher J.B.R. It was a partial revolution that the compromise also restored the royal power and prerogatives, which the king had not after the emergence of Rana regime in 1846. In short, the Delhi settlement widened the scope of political participation while avoiding the massive social upheaval in Nepal.<sup>34</sup>

Actually two factors had been important in bringing the 1950 revolution to an end. Firstly, the dramatic escape of king, Tribhuvan from the royal place to the Indian Embassy in Kathmandu, who was foreseeing restoration of his powers. Thus, before the movement could take roots in the kingdom it came to a sudden end. Secondly, in the New Delhi Agreement of 1950, India, because of

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<sup>33</sup> HMG, Nepal, Op.cit.P.7

<sup>34</sup> Ibid.

the treaty that it had concluded with the Rana rulers, and also because of her own strategic interests in the Himalayan region did not favour total uprooting of the traditional order. India's apprehensions were that a total uprooting of the traditional order might create political chaos, which would not be in her own interest. The net-result was that the 1950 movement was reduced to a mere restoration of powers of the monarchy. It did not help, in the strengthening of democracy<sup>35</sup>. The Indian Memorandum of 8 December 1950, as well as February 1951 New Delhi Agreement had emphasized the formulation of a Constituent Assembly, in order to prepare a new constitution for the kingdom of Nepal.

### **2.1.2. Political Uncertainties between the Years of 1950 to 1959**

In fact, the Nepalese politics since 1951 was marked by the emergence of democracy and openness with rest of the world. A large number of political parties and groups on the one hand and continuous fragmentation; group and personal rivalries among them on the other were the main problem in political parties of Nepal. It was due to the endless rivalry and scramble for power among major political parties and politicians. The goal of democracy was totally lost and same a way people were alienated. In fact, the political parties failed in providing leadership to the people. In their quest to acquire political power, they had indeed undermined the necessity of creating adequate socio-economic conditions for the sustenance of democracy in the Kingdom. There was mushroom-like growth of political parties each vying for a seat in the government. King Tribbuvan had promulgated an interim constitution and promised carrying out an election to constitution Assembly (CA) to be held on later than April 1953 to draft the constitution for the country. The formation of several political parties, inter party and intra-party rivalry, the politics of opportunism followed by the parties in power, and above all the

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<sup>35</sup> B.C. Upreti, op.cit. p. 23.

illiteracy and lack of political awareness of the masses were contributing factors in the consolidating of the royal authority . All political parties, instead of going to the people, turned towards the king making the royal palace as their safest constituency<sup>36</sup> . The king, Tribhuvan died in 1954 without fulfilling his promise to hold the election to constituent assembly by April 1953 .The New king, Mahendra, announced in 1955 that the election would be held in October 1957 . Then, other political forces had become political forces had become completely impotent, as they would not influence the decision making process as much as they had aspired to . In five years, five different cabinets were formed and none could hold general election for the constituent assembly. As a way, open assuming the king Mahendra applied the policy of divide and rule and played or used one party leader against the others. In this situation, heightened by the awareness, that the monarch's restored authority might be reduced if an election to constituent assembly is conducted as promised in the royal proclamation made by his father in New Delhi in February 1957. King, Mahendra employed delaying tactics to avoid the election of 1959. He began to float the argument through his cronies that constituency assembly may very will invite further political uncertainties in an illiterate semi-feudal country, Nepal. In 1959 King, Mahendra finally promulgated the constitution of the kingdom of Nepal as his gift to the people. The king promulgated constitution and kept the emergency power on to him, declared himself as sovereign and called for an election to parliament rather than to the CA. Neither he could not respect the people's movement nor fulfilled his father's promise carryout election for Constitutional Assembly<sup>37</sup> .

It paved a way for the re-emergence of traditional, elite under, the leadership of monarchy. The old land owning classes and Ranas found sufficient opportunities to further their sectional interests. They naturally got united to

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<sup>36</sup>HMG, Nepal, op. cit. p. 8.

<sup>37</sup>Borre et. al. op. cit. p.7.

defeat reform measures of the Nepal Congress<sup>38</sup>. The people were hardly concerned and conscious about the emerging political patterns, since the basic socio-economic structure had remained unchanged. The army and bureaucracy also represented the bulk of the traditional, interests of the society. It was very difficult to challenge their interest aggregation, remained largely devoid of this role. It should also be pointed out that the nationalism, which took roots in Nepal towards the middle of the fifties, was narrowly based. In fact, the traditional elite in its quest for reassertion of political power found India's special relationship with Nepal a major obstacle. Hence, it rose in developing broad-based nationalism, which would have been supportive of democracy. Thus the Nepal society lacked those basic premises which were essential for growth of democracy<sup>39</sup>.

Therefore, the parties in government instead of preparing for election emphasized lengthening their government in the name of political awareness to people. The parties out of government leading by Nepal Congress organized a civil disobedience movement in 1958 demanding an election to be held as early as possible.

### **2.1.3 First Elected Government in Nepal, 1959**

The first general elections were held in March 1959, in which many parties and independent candidates contested. The general election was a new and unique experience in Nepal's political history. It was a time for all parties and individual personalities who claimed a role in the government to assess their relative strength and degree of popular support. In the election, held under the first-past-the-post system, totals of 4,246,468 voters were registered of which only 42.17 percent or 1,791,301 voted. The result of the election went in favour of Nepal Congress party, which received absolute majority in the parliament

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<sup>38</sup>Anirudh Gupta, *Politics of Nepal* Publishers, Bombay, 1964, p. 155.

<sup>39</sup>B.C. Upreti, *op.cit.* p. 7.

with 44 out of 109 seats. The proportion of the national vote received by Nepal congress, however, was only slightly over 37 percent<sup>40</sup>.

The political parties which played main role in the over throw of the Rana-regime and which were expected to function for the stabilization of the democratic system, failed to act in an appropriate direction. On the reverse, the manner in which the party politics went on it only paved a way for the emergence of the Royal authority. It also gave an opportunity to the monarchy to label the activities of the political parties undemocratic and unfavorable to the prevailing conditions in Nepal. The new government leading B.P. Koirala of Nepal Congress Party had brought many programmes to fulfill people's expectation & aspiration in many ways. The B.P. Koirala's government policies and programmes were democratic and perhaps more progressive.

It was also an end of the indecisive and uncertain transitional politics and introduction of a popular legitimate political structure for the first time .This government made attempts to introduce new reforms such as Land reform abolition of the Brita system (a system in which the was distributed by the providing unflinching support and services to the rulers, etc . Such as land was tax-free), and certain progressive tax measures based on the party's democratic socialist manifesto. However, reactionary forces of revival staunchly opposed these measures, and soon chaos and panic prevailed in several parts of the country. Opposition parties, who were routed in the election, went into the streets questioning the fairness of the election, on the one hand. On the other, they questioning the authority of the NC government to make vital decision in view of its minority position in terms of national votes amounting to slightly over 37 percent. King Mahendra was personally dissatisfied with the NC government for relegating the crown to a comparative minor role in the government and also suspected that the socialist oriented NC Leaders were plotting the gradual abolition of the Monarchy.

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<sup>40</sup> Bihari Krishna Sherestha, op. cit. p. 36.

Soon the government had to face challenges from traditional elites and monarch. The king himself opposed the government plans on many occasions but did not challenge it openly. He made extensive tours to different parts of the country and was convinced that the general people, especially the ignorant ones, had an appetite for politics<sup>41</sup>.

#### **2.1.4 The Ban on Political Parties in 1960**

The king Mahendra was less sympathetic to the democratic ideals; on the other hand, political parties fought among themselves and conspired against one another in the process of acquiring power<sup>42</sup>. As a result, in a short span of time, many governments came, and fell; such an environment provided the open and easy place to the monarch. Monarchy played the role for authoritarian rule, king Mahendra put the constitution made by him in place of calling for an election of a constitutional assembly as promised by his father. The elected government of NC was dismissed; parliament dissolved, imposed a ban on political parties, arrested the prime ministers and his cabinet members, and colleagues, locked up thousands of party workers in jails, and suspended fundamental rights of the people. A royal palace dictate charged the government with various misdeeds, including the creation of political instability, the abuse of power, and the encouragement of corrupt practices.

King Mahendra had expressed, more than once, his dissatisfaction over the functioning of the Koirala government. The King, Mahendra's own justification of the steps taken by him was that it was done in order to save the people and the country. A few days before the royal takeover he said in a speech that "the fair name of democracy should never be permitted to be exploited to do evil rather than good to the people"<sup>43</sup>. He had further made it clear that he too had certain responsibilities. He alleged Koirala Ministry for failure in improving law and order situation in the country. He said that situation had, compelled him to

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<sup>41</sup> Ibid p. 13.

<sup>42</sup> Rabindra Khanal, Democracy in Nepal and its challenges and Prospects, Smirti Books, Lalitpur, 2001, p. 4.

<sup>43</sup> HMG, Nepal, H. M. King Mahendra, proclamations, Speeches and Messages, Vol. 7. , HMG, Kathmandu 1967.

take steps in the interest of the people. However, it was unconvincing that his concern for the deteriorating conditions of the country alone led him to the abrogation of the parliamentary system.

In fact, what appears to be more logical is that he had distaste for the western style of democracy and did not want to see it developing in his own country. He had expressed his disliking for the parliamentary democracy as early as 1955. In a speech on 8th May 1955, he said four round years have passed since democracy was brought in by the joint efforts of us all. During this period the government has been run by several cabinets of ministers. The balance sheet the profit and loss to the people from these various experiments is before the people concrete achievement could not ensure from such a state of affairs. In spite of his personal disliking for western democratic system, King Mahendra could not take step to immediately uprooting the democratic processes that had begun in the kingdom soon after the overthrow of 100 year-old autocratic Rana rule in 1950s. He had to keep the promises of his late father and thus, held parliamentary elections in 1959. The King, Mahendra had to accept people's verdict for the time being. But his ambitions and the lust for power ultimately compelled him to take a drastic step such as the abrogation of the infant parliamentary democracy.

After taking over powers, King Mahendra moved towards searching an alternative political order which established the supremacy of monarchy and at the same time, fulfill minimum democratic aspirations of the people of Nepal. The King, Mahendra took the actions against multi-party democracy and said to be that; (1) the western democracies had failed in the third world societies, therefore, such a political order was needed which would be based on cultural tradition and wisdom of the people of the people of third world countries, (2) it was not possible to establish democracy by imposing it on people from above. It should operate at the grass root level and develop upwards and (3) in underdeveloped societies the political parties were obstacles in the evolution

and development of the democratic institution. Therefore, political system should function without any formal political organization<sup>44</sup>.

The basic character of the panchayat was party-less. It was made to function without political parties or organized group with political motives. It appears that the party-less character was not as much the need of the panchayat system, much as the personal disliking of the King Mahendra. He was of the opinion that political parties could function only in developed societies.

In fact, it appears that political parties were not allowed to function because they were considered as a threat to the position of the king. In practice, however, the panchayat was faced with serious challenges while it aimed at establishing democracy at the grass-root level, it did not have any alternative mechanism to provide political education of class organizations were to use them as substitute to political parties. However, class organizations were not allowed to participate in the organized political activities<sup>45</sup>.

It is clear that the working of panchayat system nearly for the decades could not change the traditional elite structure but made it worse. In Nepal the tradition and patterns of administrative and political appointments have given rise to certain prerequisites for entering into the power as to stated as high caste, high education, higher economic status, and identification with the hill culture. These pre-requisites have been fulfilled since the beginning by hill communities, i.e. hill Brahmins and Kshatriyas and Newars<sup>46</sup>.

Meanwhile, the post-referendum Panchayat government was acting in a politically suicidal manner arresting and torturing the oppositionists belongs to both the Nepal congress and the communist parties in an indiscriminate manner. The women experience of suppression, torture and jail sentence led to the reinforcement of a belief among the workers of both parties that only united action would topple the Panchayat government.

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<sup>44</sup> B. C. Upreti, op.cit.p.10

<sup>45</sup> Ibid p. 13.

<sup>46</sup> Ibid p. 14.



Political parties Nepali Congress and different groups of communist parties were committed to multi-party democracy since 1950s. They were against the king's move of 1960 and continuously protested it. One group of communist raised arm conflict in eastern Nepal at the same time Nepal congress took the rapprochement policy with king and B.P. Koirala return back to Nepal. Political parties and especially student's movement of 1980 tried to bring the multi party democracy but they were unable to make referendum in the side of multiparty democracy.

### **2.1.5. People Movement -1990**

The movement for the restoration of democracy was launched soon after the convention of the Nepali Congress Party was held. It gained momentum and a widespread support. The most significant aspect of the movement was an understanding between the seven factions of the communists and the Nepali Congress to form joint front against the Panchayat system. In fact, it was this front that provided strength to the movement. It may be interesting to note that in the 1980 referendum the Nepali Congress had declined the communist proposal of forming a joint front. However, the situation had changed drastically since then. While there was determination to launch a movement against the Panchayat system, its success was considered doubtful unless it was fought and supported by all sections of society and by all-important political organizations.

In the national convention of NC, K.P.Bhattraai, The president of NC stated, "the Nepali Congress remains committed to the goal, of full democracy and human rights in Nepal. We have convened this conference to decide on the character and date of a nation-wide peaceful movement aimed at the liquidation of the present party-less or one party system<sup>47</sup>. The Nepali Congress changed its attitude and adopted realistic approach. It had illusion that it alone could change the political fact of the kingdom was more there. The Congress had already

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<sup>47</sup> Ibid p.17

faced a humiliating defeat in the 1987 Panchayat elections. The formation of the joint front and the launching of the movement were contextual in the sense that it was encouraged and activated by the developments taking place both at the global and at the regional level. The changes that were taking place in the Communist countries particularly in the Eastern Europe as well as fall of communist of Soviet Union and the process of liberalization in these countries encouraged democratic elements of Nepal. It was believed that an environment building up at the global level in favor of democracy led to the decline of regimented societies all over the world especially in eastern Europe along with fall of soviet union as well as regional level .Changes in the domestic political scenario of various South Asian states also prompted the democratic forces in Nepal to launch a movement. The support and encouragement given by some of the Indian leaders who had also attended the national convention encouraged the Nepal Congress leaders to launch the movement. But as stated earlier, it was not merely a spontaneous reaction; rather the political parties had been aspiring for it . The government adopted a tough attitude towards the movement and took certain repressive measures. There was immense loss of life and property. The movement spread all over the Kingdom and political parties and professional organizations (teachers, doctors, engineer etc.) also joined it.

The movement of 1990 got also the important support form the people and it brought the global support from media and political leader's friendly country. Taking into consideration to mass movement king, on 6th April 1990, Birendra appointed Lokendra Bahadur Chand as the new Prime Minister of Nepal. The King said: "it has always been our tradition to regard democratic ideals as main basis of the system .we had accordingly helped a referendum in 1980 in to ascertain which types of political change the people desired in our political system. The present council has failed to understand this tradition of public consent and maintain order and security; hence there has been loss of life and property." But the situation took a sudden turn when on 8th April King

Birendra agreed to concede the demand of the movement and declared abolition of the panchayat system<sup>48</sup>

The movement for democracy in Nepal came to an end after King Birendra declared abrogation of the panchayat system and formed a constitution committee to prepare a new constitution for the Kingdom. The King's decision came out at a time when the panchayat leadership was in favor of suppressing the movement. It appears that King Birendra's historical decision was based on a wider appreciation of the situation. It seems that there was a realization on the part of a King Birendra that it was not possible to suppress the demand of democratic forces when the strong Communist states had failed one after another to resist the forces of change .

The situation within the panchayat camp was not all that encouraging. In fact, the panchayat system had drifted away from its basic objective. Efforts had been made to keep it away from the party politics. But after 1980 factionalism and groupies became the order of the day also, there was apprehension that the movement might turn anti-king So far the movement had not opposed the monarchy; it was against the panchayat system only . There were many reason behind King Birendra's decision, the net outcome of his declaration was that it brought an end to the panchayat system and paved a way for the establishment of constitutional monarchy in Nepal; King Birendra's timely intervention put him above criticism. Although there were speculations about his attitude towards the new constitution, they were nullified as soon as the new constitution was farmed which declared Nepal a multi-ethnic, multi-lingual, democratic, independent, sovereign, Hindu constitutional monarchy. It is for the second time after 1959 that a democratic constitution came into being in Nepal. It was expected that the new system will be able to a broad based political order and move towards good governance.

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<sup>48</sup> Ibid p.18.

## 2.2 Democratic Experiment in Nepal

After the king's declaration of establishment of multiparty democracy, king called Bhattraï for prime Minister to form an interim government to make a constitution and to carry out election for house of represent. Bhattarai, interim government successfully composed the democratic by constitutional recommendation council under chairman of then chief justice of Supreme Court, Biswa Nath Upadhyay with comprising member from the main parties and independent experts. The interim government carried out the general election of 1991 and Nepal Congress got the clear majority in general election for the house representative. The interim government resigned after the election paving the way for Nepali Congress single party government. Girija Prasad Koirala, the younger brother of the first elected PM. B.P. Koirala, as elected as Nepal Congress parliamentary leader, who subsequently formed government. On the strong opposition party in parliament with 69 seats elected the party president Man Mohan Adhikari as its leader in the house and appointed him as the lead of the shadow cabinet.

Dozens of political parties contested the First general elections for 205-seated House of Representative that was held on May 12, 1991, after the promulgation of the constitution in November 1990. The radical communist forces under the banner of Nepal Communist party (unity) center decided to boycott the general elections, as they did not have faith on constitutional monarchy and wanted Nepal to be declared as a republic. Among the various contesting parties Nepal Congress (NC) and the united-Marxist Leninist Party (UML) had a national stature and had the background of struggling for the cause of democracy in Nepal .The Rashtriya prajatantra party (RSP) as labeled as Panchayat Party as the was formed<sup>49</sup> by former panchayat Stalwarts<sup>49</sup>.

The Nepali Congress after securing a simple majority formed government under the leadership of G.P. koirala government came out with a number of

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<sup>49</sup> Tulsi Narayan Sherestha, op. cit. p. 6.

programmes such as<sup>50</sup>: (i) free education for all up to secondary level; (ii) abolition of dual ownership of land; (iii) welfare of squatters and landless people; (iv) establishment of health centers in village; (v) linking each district headquarters by road transportation; (vi) providing, communication facilities in villages; and (viii) privatization.

Before, Koirala government could take concrete steps to implement these programmes, it began to face several problems. The CAP, UML and the CPN, Unity Center Opposed the government on issue such as civil servant's strike, Tanakpur barrage project, and price rise, etc. The leadership clashes in Nepali Congress and its intra-party disputes brought party and government against each other. The internal opponents and the opposition joined hands and Koirala was constrained to step down and declare mid-term elections in 1994. In the mid term election of November 1994 none of the political parties could secure majority in the House of Representatives. CPN,(UML) secured 88 seats, NC 83, RPP 20 seats, and NSP 3 seats .

First time, in the Nepalese history minority government of CPN, (UML) formed due to the parties were not able to bring majority and not able to make coalition in the parliament. The government of CPN, (UML) tried to launch a number of populist programmers such as 'Build Our Villages Ourselves (BOVO); allowances (Rs.100/- per month) to old people, welfare programmer for landless people and development of infrastructure. However, the basic objective of the CPN (UML) government was to strengthen its position among various sectors of the society as well as in different bodies of the government. Despite being a minority government CPN, (UML) took course to politicization of media, educational institutions, and higher positions in the administration and thus invited opposition from NC, RPP, and NSP together . The minority government collapsed Court, the era of coalition governments began in Nepal. A coalition government of NC-RPP-NSP was formed under the leadership of

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<sup>50</sup> B.C. Upreti, op. cit p. 19.

Sher Bahadur Deuba of NC the command of the government was handed over to second rank leadership. The coalition partners agreed upon a ten point programme as following<sup>51</sup>.

1. To strengthen democratic norms and values based on constitutional monarchy and parliamentary system;
2. Sustainable development;
3. To adopt a balanced foreign policy;
4. Encouragement to private sector in development;
5. Utilization of water resources through bilateral, multilateral and regional cooperation, keeping the national interests in top priority;
6. To Make village as the focal point of development;
7. De-politicization of educational institutions including universities;
8. Respect to liberty integrity and impartiality of media;
9. Arrangement to provide citizenship to all born and residing in Nepal;

Launching a specific programme to uplift the living standard of backward and deprived sectors of the Nepalese society including Janajati and Madhesi community.

In Nepal, on doubt, the coalition government had chalked out a programme that could promote the interest of the weaker section of the society and initiate development programmes. But the Deuba government faced opposition from communists as well as from his party. However, Deuba Government survived non-confidence motion in March, 1996, but not -in a second move and had to step down in March 1997. The second coalition government of CPN (UML), RPP and NSP under the prime minister-ship of Lokendra Bhadr Chand of RPP was formed in March 1997. This coalition could not cross more than six months and got replaced by another coalition Government by NC-RPP-NSP, under the leadership of Surya Bahadur Thapa of

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<sup>51</sup> Ibid p. 19.

RPP. The Nepali Congress could not relish leadership going in the hands of Thapa and Began to pressurize him. Thapa had to quit in April 1998.

The Nepali Congress began to search a new coalition partner. Incidentally, after the 1997 bodies elections CPN (UML) had spited and a new party CPN Marxist-Leninist (ML) had come into existence. The NC and CPN (ML) reached to an understanding to form yet another coalition government under the leadership of G.P. Koirala. However, both the partners developed differences on several issues. The CPN (ML) decided to quit from the government and tabled a motion against the government on 14th January 1997. The CPN (UML) came to the rescue of Koriala government not as much to support it but to down the CPN (ML). Both NC and CPN (UML) agreed to form a national government along with NSP to work till third general elections were help in May 1999. It is clear that the hung parliament produced minority and coalition governments. These governments proved to be short-lived primarily due to inter-party and intra-party differences, leadership clashes, and quest for power. The governmental instability resulted in its ineffectiveness in meeting popular demands and aspirations<sup>52</sup>.

In the 1999 general elections, NC secured majority and formed the government under the leadership of Bhattraï. The party had reached to an understanding during election campaign that Bhattri would be the leader of the parliamentary party. But after the some times, Koirala factions began to pressurize for a change of leadership. Prime Minister, Bhattri was compelled to resign in favour of Koirala in February 2000.

The ruling parties' image and popularity was expected to wane in the aftermath of police firing at a protest demonstration organized by the unite people front of on April 7, 1992 killing 14 persons. The demonstrations were demanding the resignation of the government for its failure to check spiraling prices for congress zing the bureaucracy. The CPN (UML) also entered to fish

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<sup>52</sup> Ibid p. 29.

in the trouble waters following the shooting incident and organized several protest marches all over the country demanding the resignation of Nepali Congress government. All these demonstrations were taking places on the eve of local elections and therefore many analysts of political parties from the opposition thought that ruling party was losing its touch with the masses and predicted its defeat in the upcoming local elections. The communists as well as the National Democratic Party and other small parties were participated and demanded resignation of NC government. But the effect of these demonstrations turned out counter productive for the organizer themselves, as people could not appreciate the unconventional behavior displayed during the demonstrations. Nepalese people once again gave the mandate to the Nepali Congress party to decide the fact of the nation. But the opposition parties were charging the government for massively rigging the local elections.

### **2.3 Challenges of Post-1990s Democracy in Nepal**

Nepal has on long history of democracy like other countries in south Asia. Nepalese people fought for democracy in 1950 as well as in 1990s with the sacrifices of many lives. Democracy in Nepal during the 1950s has faced challenge from then king and traditional elite and ultimately king Mahendra dismissed the elected government and multiparty democracy in Nepal taking all the power within him. King Mahendra's step led to the Nepal 30 years for authoritarian rule. Nepalese political parties and people struggled and many people became martyr for the establishment of multiparty democracy. After the collective efforts of political parties, people, civil society, media Nepal restored the multiparty democracy with best constitution in 1990 and about one decade democratic government run spontaneously but since the emergence of Maoists and king's assertive role created the real threat to democracy of Nepal.



### **2.3.1 Development of Maoist Insurgency**

The so-called Jana Youdhha (people war) of the CPN (Maoist) initiated in February 1996, Nepal's most serious political problem. The aim of the Maoists was to overthrow the government with monarchy and the establishment of a people's republic against the background of a socialist society. During the initial years of their movement, the Maoists found growing support from those who were extremely disappointed by the corruption and the modest development of the democratic system. The great circles of these frustrated by poverty, corruption and social discrimination were a fertile breeding ground for supports of the Maoists<sup>53</sup>.

It is clear that It did not only taken lives of thousands people and caused a loss of billions of rupees of property, but also challenged democracy and state structures of post 1990. People war state from the remote areas of the mid west hills in February 13, 1996 by a few dozens ideologically motivated Maoist cadres and expanded its impact all over the country. It was through contextualizing the ideology of class war with poverty, injustice, and exploitation and through ethicizing the insurgency. The CPN Maoists strengthened its capacity by mobilizing cadres and armed struggles. More ever the CPN (Maoist) acquired power more through taking advantage of weakness and internal contradictions of its opponent, the sate, that the strength it gained through its own concerted efforts.

In the beginning government used suppressing methods to control on Maoists insurgents. Many coalition government, during 1999, came and gone but the Maoist insurgency took the strong and violent form around the country side attacking, killing and obstructing civil servants working in outside city center. In 1999, Nepali Congress majority government tried to manage insurgency but after the royal massacre of 2001, the situation was worsening more than before. So the Koirala government of Nepali Congress tried to

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<sup>53</sup> Ibid p. 14.

operate then Royal Nepal Army to suppress the Maoist insurgent. But he was unable to do it due the many causes and he resigned from the government. It provided the chance to Sher Bahadur Deuba become the prime minister and Deuba government tried to negotiate with Maoist insurgency to manage and solve the Maoist insurgency in a peaceful way. Different rounds of peace talk taken place between two sides but Maoists cancelled the peace talk and return to their people war. After the breakdowns of peace talks, the Maoist first returned to their old tactics of violent politics. It's meant especially attacks against institutions of the security forces, the destruction of the infrastructure and leaving houses of politicians, but also the robbery of the banks, the forceful collection of moneys from the business circles, private person and the tourists, etc. In October 2003, the Maoists leadership announced to stop all the attacks against the infrastructure, obviously a reaction on the negative impression this procedure has had on the general public

A new political system was proposed by Maoists of Nepal known as new people's democracy. The Maoist key agendas were round table conference, interim government. Until early 2000 Nepalese police, efforts against the CPN (Maoist) were generally uncoordinated. The army involved in February 2000 and began actively engaging the CPN (Maoist) in November 2001, Government efforts to address the conflict-including the suspension of civil liberties and elected government reduced government legitimacy and thus has been counterproductive. The Maoists attacks on infrastructure have lowered their support, as have accusations of robbery, extortion, and forced recruiting<sup>54</sup>.

The failure of post 1990 democratic government to address the long running socio-economic problems of the country, i.e. poverty, unemployment, deprivation, and discrimination against the minorities (Dalits, ethnic groups, and women in particular etc) helped to enhancing the Maoist's strength, power, and influence. People's apathy towards the leadership of mainstream parties and

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<sup>54</sup> Krishna Hachhethu, 2004, Maoist Insurgency in Nepal: Overview, Published at [http://www. Unibielefeld. de/Midea. pdf/articles. pdf](http://www.Unibielefeld.de/Midea.pdf/articles.pdf) p. 12-13

internal crisis, conflict and contradiction among the state actors and institutions (i.e. palace, parties, parliament etc) paved the way for escalating the Maoists insurgency. Negotiations that held between the Maoist insurgent and the state twice in the past failed to bring peaceful out of the barrel of a gun" into action<sup>55</sup>.

In the beginning, the CPN (UML) also tried to cultivate the Maoist issues to cut the size of its immediate electoral rival, the NC, as the Maoist made the NC workers the main target of its safaya (cleansing) actions. Such a misunderstanding and wrong strategy naturally misled them unless they realized a common threat perception, particularly after the CPN's (UML) interest was directly affected by the formation of the Maoist people's government at different Levels. Taking back the executive power by king Gyanendra on October 4, 2002 heightened the conflict between the place and the parliamentary parties.

The primary of political and ideological factors was evident by an avowed goal of the Maoist insurgency: overthrow of the present polity based on multiparty parliamentary democracy and constitutional monarchy through armed revolution and its replacement with constituent assembly put forth.

Since the restoration of democracy in 1990, political parties and monarch have been among the most influential actors. In the initial phase, the government and then leadership undermined the Maoist insurgency. Although the mal-performance of parliamentary parties was not the fundamental cause behind the Maoist insurgency, failure to address causes of the conflict through radical reforms and good governance practices during the tenure showed that failed to come up to the expectations of the people<sup>56</sup>. They never tried sincerely and honestly to address the root causes behind the miseries of the people and to settle the politically. Rather, they used the conflict as a means to grab or share power in a system that was less responsive to the need of the people. They

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<sup>55</sup> Ibid. p. 12

<sup>56</sup> Ibid

interpret the Maoist insurgency simply as a law and order problem to control it by using force<sup>57</sup>.

There was evolving confrontation between supporters of a forceful suppression of the Maoist conflict and those who favor the peaceful solution through dialogue and compromises. As never before, even diplomatic circles play a public role. The USA who included Nepal's Maoist insurgency into the target area of their anti-terrorist world politics after the September 11, 2001 spearheads the first camp. Most of the western conflict first in other camp. The American pressure for a military solution of the Maoist conflict fits on well with ideas of the monarchy and its government of autocratic regime and some government of post-1996.

After the twelve points agreement made the seven party alliance and Maoist ready for joint agitation of king's authoritarian rule. Their collaborative effort for April movement, 2006 has created the environment for multiparty democracy and peace solution of long running arm conflict between government forces and Maoist rebels. The formation of constituent assembly by the duly elected representatives of the people was an epoch-making event by recognizing sovereign rights of the people. In the affairs of the state, at present, demand for a constituent assembly has come up as a common agenda of the seven major political parties and the Maoists<sup>58</sup>.

### **2.3.2 King's Autocratic Role**

The ambition of the king, Gyanendra, was assertive, proactive and not only to be seen but also heard as a rule of the 21<sup>st</sup> century Nepal and his subsequent action to sack the elected government and pushed the country into a deep crisis. The king's actions led to a deeper conflict between the parliamentary parties and monarch. The Maoists successfully capitalized on the tussle between the king and the parliamentary parties and to their advantages.

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<sup>57</sup> Library of Congress, Federal Research Division Country profiles: Nepal, November, at 2005.

<sup>58</sup> B.C. Upreti, op. cit. p.3.

Mobilization of security forces (police force, royal Nepal Army, state intelligence services) as a unified command under the royal Nepal army did not get the full support of political parties. All democratic and civil institutions have been weakened. In the absence of a parliament, ordinances and royal decrees have ruled the country<sup>59</sup>.

The three major power centers had their own agendas of change shaped and the orchestrated by power against the spirit of constitutional monarchy, lack of effective leadership, power centric intra-party and inter party factors and conflicts and political instability, lack institutional nation of party and parliament, pervasive corruption etc. The royal massacre added the complexity to the conflict. Immediately after the royal massacre, the Maoists publicly declared that the conventional monarchy had come to an end and the circumstances had become favorable to install a republic setup in the country. The royal massacre broke the myth of monarchy and created a void and an environment for the Maoists cadres to attract people and organize them militarily to expand the base of insurgency. The ambition of the king was to be assertive and proactive. His intention was not only to be seen but also to heard as a ruler of the 21<sup>st</sup> century Nepal and his subsequent action to sack the elected government pushed the country into a deep crisis, further exacerbating the contradictions among the dominant elites<sup>60</sup>.

The king's actions led to a deeper conflict between the parliamentary parties and the monarch. The Maoists successfully capitalization of security forces (police forces, then Royal Nepal Army and state intelligence services) as a unified command under the royal Nepal army did not get the full support of political parties. All democratic and civil institutions were weakened. In the of a parliament, by ordinances and Royal decrees ruled the country.

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<sup>59</sup> Krishna Hachhethu, op. p. 8.

<sup>60</sup> Ibid.

## 2.4 People Movement-II 2006

April movement was the demand of political parties, people, and civil society for peace and responsive government. Political parties with the support of people and civil society came in ground for democracy. The Maoists with fought 10 years deadly war against the multi party democracy and constitutional monarchy agreed and made a compromise with seven party alliances to struggle against authoritarian rule.

The palace massacre of 2001 fundamentally affected the respect and position of monarchy in the mind of people of Nepal. King Gyanendra was not a unifying factor of unity as a many monarchist forces and the government owned media tried to assure day by day. This role was already changed by the constitution of 1990, when this aspect of monarchy was deleted from the fundamental definition of the state today. After the royal seizure of power after October 2002, never before in the Nepalese history institution of monarchy and the person of the king in special, been to openly criticized and protested. This was not only true for the political parties that demonstration against the royal seizure of power since 2002, also voices from the general civil society are getting louder<sup>61</sup>.

Political parties, however, led the movement of post-2002 and February 2, 2005 for democracy and against the authoritarian king's rule. The student demonstration against monarchy that began in mid December 2003 should not be underestimated. Almost all student organizations have direct link to a special political party. It is significant that these parties have lost control over their student organization in every decisive phase of modern Nepalese history. So then, students' demonstration was another important step for political changes. The openly demand the abolition of monarchy and the introduction of a republic. The political parties partly help back but not completely rule out such a step; this seems especially to be true for the CPN, UML and NC.

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<sup>61</sup> Rabindra Khanal, political Socialization and Political parties at the Grassroots, published at Journal of political Science, Vol. VII, No 3 June, 2005 p. 37.

Seven political parties came ultimately to compromise with insurgents in a point to struggle peacefully for multi party democracy and many issues of state structure. From the time of signing the 12 point Understanding in New Delhi and five and Eight point agreements with Maoists, leaders of Nepali Congress and other democratic parties, came in common agenda to struggle for multi democracy and restructuring the state mechanism and election for constitution assembly. After signing 13 point and 8 point agreement between seven party alliances especially both Nepali congress, came under the attacks from supporter of the Royal Regime and even by some friendly foreign powers. Those who did not like Nepali Democrats joining forces with the communists whose causes had led to the Death of 13000 people<sup>62</sup>.

After the success of April movement with the land mark peace agreement between the having CPN (Maoists) and Seven party Alliance (SPA) government, the nation is now expected to move towards a new political, social, economic and cultural environment. While the agreement made the long running inhumane activities such as killings torture, kidnapping, manning rape, extortion and looting a thing of past, it has also raised hoped that his nations of mostly poor, uneducated, under privileged would take a grand leap forward. The new deal has also vision a new social, political, and economical dimension to the nations system of governance.

## **2.5 Democracy in Transition after PeopleMovement-II**

Leaders and people of Nepal, in the 1950 movement for democracy, were eager to make constitution through constituent assembly. The proclamation came out in 1950, among king, Rana and Nepali congress that constitution assembly election would hold and then parliament election, forming and running of government with the spirit of constituent made by people representative. But is could not happen due to conflict and unstable political

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<sup>62</sup> Narayan Upadhayay 2006, "*LandMark Peace Deal and Koirala*", The Rising Nepal, National Daily, November 12, 2006.

situation lack of consensus among democratic groups as well as the king intention to collapse multi party system.

Nepalese political parties and people have raised their voice for constitution making by peoples representative. People arose in 1980s that brought the referendum to choose the multi party democracy or reformed Panchayati authoritarian regime. In 1990 people participation, leading by political parties established multi party democracy and constitution was changed through the constitution party democracy and constitution was changed through the constitution recommendation council, 1990. The constituent of 1990 was supposed one of the most democratic constitutions because it has adopted good aspects needed for democratic constitution of democratic countries and received suggestions from in course o f practice, even if being the democratic constitution. If democratic process is adapted to constituent assembly, it is more likely to produce inclusive democratic constitution.

A democratic procedure will promote political equality more than non-or less democratic process. Every political parties, ethnic groups, civil society, and people from all sects of nations are very agreeable to the constituent Assembly to make constitution of Nepal. It is, however, very important to make proper representation of all political. Parties, social groups, ethnic people, women and deprived sects of community in constituent Assembly to make their voice heard and strong for their rights and participation<sup>63</sup>.

The restoration of democracy in 1990 exposed the discrimination against women and disadvantaged groups; and the widespread unemployment and corruption that are pervasive in Nepali society. The political parties although they have often talked about these issues have largely failed to sincerely address them with realistic strategies. The potential of democratic institution to serve the people and society remains, unrealized as politics has degenerate into a power game and a means of personal gain for the political elite. Political parties had

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<sup>63</sup> Ananta Raj Poudel, op.cit.p.7



largely failed to observe their basic duty to based public policy on the citizen's need. Much water has flown down Bagmati and Bishnumati rivers over the last 15 years since the 1990 political change. The political Arch-rival of past came closer for the cause of the nation and democracy. The seven parties Alliance also reached and understanding agreement with the Maoists to fight peacefully against the kings' absolute regime. The common points for this understanding were the constitution Assembly, democratic republic, and federal state structure. On the basis of which, the Maoists also joined the Jana Andolan, which forced the king to relinquish his authority and reinstate the House of Representatives<sup>64</sup>.

Nepal is about to emerge out of decade long arm-raid conflict. The 8 point and 12 point agreement of peace signed between the seven party alliance and rebels has raised the people's hopes and expectations before April movement and six point understanding after the April movement 2006. SPA government and Maoists rebels signed comprehensive peace November 8, 2006 and became ready to form the interim parliament and government as well ready to arm manage under the supervision of United Nations before to join in interim government. Peace is important but people's hope extends beyond peace to higher economic activities and improved livelihoods<sup>65</sup>.

Following this, a new political way took led. The Maoists had been championing the one party communist system until a few months ago, accepted the Multi-party competitive Democracy. It is the double joy for those who advocated and supported multiparty democracy as well as joining Maoist in democratic mainstream politic. In this sense; the popular movement is a watershed in the Nepal's political history. It established the fact that multi party democracy has no alternative and it is the best political system secondly, even those who are appealing the multi party system have come to this fold. Thirdly this movement has resolved all political problems and debates by deciding the

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<sup>64</sup> Yuba, Nath Lamsal, *The Need For Good Governance*, The Rising Nepal National daily December 5 2006.

<sup>65</sup> Shankar Prasad Sharma, (2006) "Some Comments on Post conflict Development Agenda" the Kathmandu Post, national daily, July, 2006.

constituent Assembly the practice applied in all democratic nations in the world<sup>66</sup>.

Nepal since the success of April movement is on the transition period. Nepal has been facing problems of law and order, and effective government. Many sects felt they were suppressed, excluded and biased by then government. Ethnic's people, Madhese, Dalits and people like land-less were among them that they brought public rally and demonstration. Problems of Madhise and ethnic people took the violent form and affected the country. The April movement has restored a multiparty democracy in the context of a torn state, weak governmental authority, scandalous poverty, and radicalized masses, institutionalization of democracy and peace remains difficult task.

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<sup>66</sup> Yuba Nath Lamsal, Op.cit.

## **CHAPTER THREE**

### **PROBLEMS OF GOOD GOVERNANCE**

#### **3.1 Good Governance**

Governance is the set of institutions by which authority in a country is exercised, public policy is carried out, and public services are provided. Good governance can be taken, as an effective measure in governance is a pre-requisite for democracy to work in a proper way for the rule of law to be a first priority. It is the "exercise of political power to manager a nation's affairs"<sup>67</sup>. Governance as " a process of political management, mechanisms and strategies, remaining neutral in providing basic human rights to activities undertake at the state level. Order, popular legitimacy and accountability of the power elites are the ingredients of a modern state, where rule of law rather than of individual prevails"<sup>68</sup>.

Democracy is the rule of the people where they are involved in most of the major function of the state. Considering the vastness of area population of the modern nation states in comparison to the past, every citizen cannot be involved in the governing process, which has ruling party and the opposition on the other. Political parties, in this process, play important roles in organizing people according to different ideologies for political participation for the formation of government or remaining in the opposition. Everyone cannot become the ruler but each and every citizen is entitled to know how the state is being run. Good governance alone, in this respect, can further democracy in achieving its goal"<sup>69</sup>.

The role of a democratic government is to build such capabilities, opportunities, and choice within the society so that its people could attain equality and distributive justice. In fact, equality, dignity and welfare are the ultimate ingredients of the success story of democracy. It is only through the attainment of these goals that

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<sup>67</sup> Dev Raj Dahal, *The challenge of Good Governance, Decentralization and Development in Nepal*, G.D.S. Kathmandu, 1996:p.8.

<sup>68</sup> Baral, Lok Raj, Nepal: problems of Govrenance, New Delhi Konark Publishers Pvt. Ltd. 1993, p.1. (as cited in Rabindra Khanal, 2001, Democracy in Nepal: Its Prospects and Challenges p.72.

<sup>69</sup> Rabindra Khanal, op.cit.72.

the government structures receive proper feedback from the society and thus democracy gets strengthened and consolidated in a long-term perspective<sup>70</sup>.

A democratic government can attain its desired goals by ensuring realization of popular needs and aspirations and use of power by institutions not individuals. Such governance is a process of political management. It aims at maintaining law and order, ensuring popular legitimacy, responding to popular demands and aspirations and developing effectiveness and accountability in its functioning. Legitimacy, stability, and efficiency are three basic ingredients of governance. Legitimacy in terms of performance capacity and popular sentiments towards the government: are essential for good governance<sup>71</sup>.

### **3.2 Nepal's Attempts to the Good Governance**

After the restoration of democracy in Nepal, 1990, made the provision of more democratic constitution regarding to good governance. 1990s constitution adapted the many constitutional provisions like independent judiciary, constitutional bodies like commission of Investigation Abuse Authority (CIAA) Election Commission, Office of auditor General, public service Commission, Attorney General as well as constitutional council etc. to make the state mechanism more effective, efficient, transparent, responsive to people. By constitution of 1990s has made the constitutional bodies made authoritative but in course of practices the functional aspects remained unfulfilled and unimplemented.

In Nepal, governance at all levels has been improved since the establishment of multi-party democracy in 1990 than previous authoritarian regime. Many preconditions for broader public participation in state affairs for the respect of Human Rights and for the peaceful settlement of political, ethnical, and economic strives have been created. However, as the above cited statement reflects, governance in Nepal is still far from being sufficiently democratic, transparent, reliable and efficient. In order to better serve the causes of development, poverty reduction and peaceful settlement of conflicts, Nepalese political processes have to become more transparent, inclusive

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<sup>70</sup> Deepak Raj Subedi, "*Good government- Time for Bold Action*", The Rising Nepal, National Daily, April 28, 2006.

<sup>71</sup> Lipset, S.M. (1971), Political Man, Heinemann, New Delhi, 1973 p.81

and accountable, public services more effective, administration more decentralized, judicial processes more independent and expedient, economic management more lean. Human Rights have to be respected in a less compromising, more consequent manner. Since many years, the Maoist insurgency has become the embodiment of Nepalese protest against the shortcomings in the country's quality of governance. The vigor of this movement is an indicator of the urgency of the issue. At the same time, however, the Maoist protest has led the country into waves of violence and armed conflict under which the Nepalese people-mostly in the rural areas- have suffered and continue to suffer enormously. In the process, both sides, the Maoist and the Government forces, and authoritarian government after February 2, 2005 have greatly abuse human rights, and democratic political culture at all levels has fallen by the wayside<sup>72</sup>. Nepal has been trying for democracy since long time but many anti movement and events worked as restraints.

### **3.2.1 Responsiveness of Government**

The most important challenge for any government is to put the country at the development track and to deliver goods to and services to the masses. In fact, the success story, of governance lays in the fact that popular need and aspirations are realized. Fortunately, majorities of the population in Nepal are striving for fulfillment their basic needs.

Nepal is among the poor 6th and most backward countries of the world, the population of the country is approaching 27 million, and the rate of growth is 2.5 percent. The "Adult literacy rate is about 29 percent, lowest among the SAARC countries and the average" literacy rate is 45 percent. Nearly 32 percent of, the population is below poverty line and around 42 percent (2004) of people are unemployed. Even now many districts have very far from the transport facilities and people from these districts feel that they are alienated from development and government. Many people from the village and even in town there are lacking to an access to safe water and majority of people lacking proper sanitation. Nepal is spending, 1.2 percent (19.97) of GDP on public health. While it's per capita GNP (1997) US\$ 220 and average per capita: annual growth (1996-97) has been 1.7

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<sup>72</sup> SDC-Nepal, 2003 p.3.

percent. Nepal is extremely dependent on imports of certain: essential commodities such as petroleum products, medicines, edibles of various type, chemical and fertilizers and etc. But its trade imbalance was Rs.1453.9 million during 1997-98. Poverty and stagnation characterize the low equilibrium trap of its economy. Agriculture still remains the largest sector contributing to GDP. Its contribution has been as high as 42 percent. Nepal has been receiving foreign aid ever since the overthrow of the Rana rules in 1950. Aid has been helpful in building infrastructures. However, there has been lot of mismanagement in the utilization of foreign aid<sup>73</sup>.

Nepal post - 1990 has gained improvement in development and growth domestic product was around 5 percent and in 2006 is around 2.3 percent. In the Development of infrastructure like road, electricity, telephone, Hospitals, health-post, drinking water, and irrigation, education and others were notably achieved. After the starting of Maoist insurgency people severely affected and the country's economy took the way to downwards. The opportunities of jobs become minimal because of there were no environment of investment and security and people compelled to leave their places and reached India and other countries in search of employment and safety<sup>74</sup>. Now, Nepalese economy mainly sustained by remittance foreign aid and provided by donors and international financial institutions respectively.

It may be inferred from various indicators that Nepal's developmental challenges and constraints have been severe. The people who aspired for quick relief from economic hardships once democracy was in operation are still wondering. There is lot of discontent. Nepalese people have tested all the major political parties' as well as absolute regime of king after royal coup of 2002 and they have proved to be a failure. Actually, Nepal's problems are such, which needed a farsighted appreciation of the problem, an understanding of the basic needs of the people and a clear strategy in terms of development, planning and implementation. But the problem is that none of the governments, which came to power after 1990, had sufficient time to do this exercise. They had to remain confined to their own political manipulations and adjustments. It is true that it is not an easy task to resolve Nepal's economic problems.

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<sup>73</sup> Madan, K. Dahal, *Impact of Globalization on Nepalese Economy*, in Dahal (ed.) *Impact of Globalization on Nepal*, NEFAS, Kathmandu, 1998 p. 11.

<sup>74</sup> B.C.Upreti, op.cit. p. 26

But one decade is not a small period of time when the democratic government should have shown sufficient concern towards resolving economic hardships of the masses. Responsiveness and accountability are the most important aspects of democracy and good governance. Representative and liberal democracy assumes that responsiveness of political leaders towards people is very crucial. Responsiveness of political system towards its citizen is the spirit of democracy.

Upreti writes the Panchayat system had remained non-responsive to the popular aspiration and demand. Since the very inception of the Panchayat system demands had been raised from the various quarters of the society for the liberalization of the political system, lifting ban on the political parties, direct elections to the Panchayat organization based on adult franchise and to guarantee the fundamental rights of people. However, the rulers conceded none of these demands, though the Panchayat constitution of 1962 had been amended for twice in 1967 and 1975. On the contrary, discernible attempts were made through these constitutional amendments to further consolidate the authoritarian tendencies<sup>75</sup>.

Even though, Panchayat government received enough foreign aid at the time of cold war, it neither could fulfill the basic needs of people nor developed the infrastructure for development such as health, drinking water, sanitation, transportation facilities such as road and airports, irrigation, communication services, and so on. Per Capita Income of people decreased as well as people got more unemployed. Nearly 90 percent population was engaged in agricultural activities and most of them were under subsistence farming. The land structure had largely remained unchanged. The policies of the government aroused resentment among the farmers and other low-income group people. It was a burden for small farmers. Government's inability to provide essential commodities and the price rise also gave rise of discontent among the people<sup>76</sup>.

Nepal after the 1990s democracy by constitutions made people sovereign and leaders as well as concerned authorities responsible to the people especially to whom they represent. Constitutionally government was responsible to parliament,

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<sup>75</sup> Lok Raj Baral, Changing, Constitutional and Political System, Nepal Foreign Affairs report, Kathmandu, January, 1977, p. 13.

<sup>76</sup> B.C.Upreti, Op.Cit. P. 25

constitution, and people for their deeds. Leaders were responsible to their party cadres and people. The constitution of 1990 had adopted the fair and prompt election for representative of local government to parliament. It was clear that the Panchayat system could not provide a viable economic or the people based on equitable justice and social welfare. After the 1990s, Nepalese people were too much hopeful and optimistic about the performance of government. Government of Nepali congress and CPN, (UML) brought programmes that were implemented soundly and it was the sound response towards people than the Panchayat regime. People participation was so exciting then previous regime. Nepal got significant foreign aid to make a fundament of infrastructure especially for road and air transportation, electricity, telephone, health centers, school and colleges, drinking water and irrigation sector. Nepali government was in way of getting significant development in regarding in mentioned sectors. In Nepal from the initiation of coalition government which turned way the government into a weaker one, as every coalition government existed whereas equation existed between parties. There was no common agenda and issues abut development and democracy and only there was game of sharing in government post. Raise of Maoist so called people war Nepali politics and development got the bitter and difficult circumstances.

Maoist activities and political leader's character and practices made to people feel being alienated from the government. People were deprived to get the regular good and services form the government. There was no presence of any government official to provide even the certificate of citizenship, to provide the security of goods and life of common people and to carry on development activities. The government office and official were only limited in headquarters and capital cities and are even now.

People were obliged to keep silent were not responsible for their behaviours and wrong doings. It was more worsened when the King, Gyanendra took power directly in 2002. His supporters and his designated commission of corruption abused leaders of political parties. He attempted to bring again a regime like the failed previous panchayat and changing its stalwarts as a prime minister and executive assistant, against the common will of people. People wanted peace, and development and fulfill their minimum human needs. When Maoists and major political parties



came in a point of multiparty democracy and renounce the politics of violence, people rose up from their place to throw out the autocratic and irresponsible regime. The failure of the successive governments to effect change in socio-economic environment and to meet minimum needs of the people, to provide a stable political order has led to a situation in which the following system of Nepal has faced insurgency organized by the radical communists. As well as political obstacles was created by traditional royalists' regime.

### **3.2.2 Equitable Distribution of Resources Opportunities**

The goal of good governance can not be realized until social equality and equitable distribution of a resources and benefit possible. The Panchayat system could not provide a viable economic or the people based on equitable justice and social welfare. The deteriorating economic conditions of Nepal under the panchayat system were highlighted in a study to the government in June 1979<sup>77</sup>. Nepal's poverty and underdevelopment is reflected in the human development index (HDI), which in 2004 was only 0.50, and is lower than of all the other South Asian countries. Nepal is characterized not only by sheer poverty and low HDI, but also by extreme disparities in income and the wealth. For example, the bottom 20% households receive only 3.7% of national incomes whereas the top 10% receive nearly 50%<sup>78</sup>. The crucial issue, however, is not only the disparities in poverty and HDI but also social identity based on caste, ethnicity and region of region of origin and gender, which to great extent determines access to the control over political, economic cultural resources and status. There is broad convergence between income, wealth, and HDI on the one hand and social and cultural identities on the other hand. These disparities are the consequences of historical and structured hierarchy, and inequality in power and access as of non-inclusive development<sup>79</sup>.

The discrimination and exclusion is the major obstacle for the socio-economic developments of people especially dalits, ethnic people, women, and backward people in Nepal. Finally, the stable and politically committed government is prerequisite for the effective means for the development and empowerment

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<sup>77</sup> Ibid. p.14

<sup>78</sup> NESSAC, 1998 as cited by B.C. Upreti, op.cit. p. 24.

<sup>79</sup> Rajendra Pradhan and Ava Sherestha, Ethnic and Caste Diversity: Implication for Development, Working Series No.4 Nepal Residence Mission, June 2005 p.8

programmes for the welfare of people. The communist party of Nepal (Maoist) has taken advantage of this and has worked to recruit ethnic groups and disadvantaged castes into their ranks. The Maoist insurgency which had started from the mid-western development region was received the least priority in resource allocation of state. It is reported to have a large following of ethnic groups and dalits, party as a result of these resentments and partly of Maoists promises of various degrees of autonomy and economic and political opportunities for these groups. Women represent about one-third of the followers, and the reason for this increased involvement of women is their perception that conflict is the only means to change their situation in society for increased self-esteem and confidence<sup>80</sup>.

Ethnic, demands so far have been mostly of the secondary type i.e. civil ethnicity, seeking to contest for resources and political space within the system. The trend of the last two general elections also indicates people's preference for mainstream politics. However, there is still the possibility of more aggressive ethnic and regional expressions, even violence and irredentism-what-Nepal now need to devise is a polycentric nationalism that fosters feelings of belonging-ness and promotes national integration<sup>81</sup>. Despite, the hangover of a Hindu kingdom, there was a sudden upsurge of ethnic based organizations such as Nepal Rashtriya Jana Mukti Morcha, Nepal Rashtriya Jana Jati Party, Nepal Jana Party, Nepal Janajatiya-Mukti Morcha, Magurali, Limbuwan National Council, Nepal Dalit-Samaj, Nepal Mongol Organization etc. The constitution has, however, prohibited ethnic based political parties to contest elections. Therefore, these organizations have tried to influence different political parties. They have raised different ethnic and cultural demands with government and concerned authorities. The Mongolian ethnic groups have raised the following major demands: (1) Assertion of cultural identity. There are the original inhabitants of Nepal and that their language and culture is given proper recognition and protection: (2) Proper representation in political and bureaucratic structures. They have strongly resented against Brahmin, Chhetri and Newar domination. (3) Equitable, distribution of resources and development of backward communities and regions on a priority basis, (4) Secular is action of politics. These groups have strong

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<sup>80</sup> B.C.Upreti, Op.Cit.P.20

<sup>81</sup> Harka Bdr. Gurung, 1998, Nepal Social Demography and Expression, New Era, Kathmandu 1998. P.205

resentment against declaring Nepal as a Hindu kingdom. (5) Restructuring of census reports, this show Hindus at 89 percent. (6) Federal structure for Nepal by dividing it into dozen of provinces<sup>82</sup>.

### **3.2.3 Preservation of Minority, Ethnic and their Cultural Rights**

Nepal is, in a essence, a cultural mosaic comprising different caste and ethnic groups belonging to the Tibeto-Burman and indo-Aryan linguistic families, which is indicative of the waves of migration that have occurred for over 2000 years from the north and the south respectively<sup>83</sup>.

The identity of Nepal is recognized as a plural society only by the 1990 challenged on the grounds of demanding participatory nationalism .Constitution, for a long time , the idea of national integration contorted to perpetuate the values of ruling elite and vested interest groups. In recent years, the traditional ideas of nationalism have been the plural society is demanding regional authority; equal sharing of economic and political power and benefits, language and cultural rights. People from different sect of Nepali after the establishment multi-party democracy raised the issues about participation, equality, and access in state mechanism. Upsurge the ethnic nationalism, though in miniature from demanding regional autonomy, linguistic and cultural rights have surfaced in Nepal during the 1990s political change. In later years ethnic awareness created by the process of recognition of their cultural, linguistic identity. Some ominous signs of breakdown of politically induced social cohesiveness are clearly perceptible even under the present day democratic framework. The democratic process which begun 15 years before is proved to be weak and the state's capacity to sustain the process in co-opting ethnic challenges is very fragile although, ethno-political violence in Nepal does not look as alarming as seen elsewhere in south Asia<sup>84</sup>.

The Maoist of Nepal who wanted to do away with the parliament system of democracy. Seem to have received support from the different ethnic groups, as the state has failed in addressing the grievances of plural society. The constitution of post 1990s provided cultural and religious rights and others as fundamental rights but

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<sup>82</sup> B.C. Upreti op. cit. p. 22.

<sup>83</sup> Ibid p.8.

<sup>84</sup> Ananta Raj Poudel, Interface of Ethno-Political Violence and Terrorism: The case study of Nepal, Journal of Political Science Vol.VIII, No. June, 2005 p.5

ethnics and minority people did feel excluded from state mechanism and demanded for reservations and more right as a minority and being backwards and dalits in state mechanism. It is clear that Maoist have exploited Nepali ethnic nationalism and incited them to rise against the existing social order for own political purpose<sup>85</sup>.

Poudel<sup>86</sup> says "The degree of economic development is minimal and the country is facing severe domestic crisis. As a results, demands from the minority ethnic groups that challenges state legitimacy if ethno-political violence is regarded as an expression of conflict over state and nation building, the role of state could be conceptualized with theories of democratic transition and consolidation".

As Nepal traveled from a long way from autocratic regime to the multi party democratic system, Upsurge of ethnic nationalism, demanding regional autonomy and federalism, linguistic and cultural rights and religious secularism have been openly surfaced in Nepali society.

Ethnic awareness created by the process of modernization has put enormous pressures upon the political system for the recognition of their cultural, linguistic and religious identity. The politically induced social cohesiveness is clearly perceptible and the state's sustainable capacity to sustain the process in co-opting the demands of the Terai people appears to be fragile even under the present democratic set-up. More specifically, ethnicity of the Terai people is related to the discriminatory state policy such as economic inequalities, territorial dissatisfaction, and socio-political discrimination in terms of valued resources. The ethno-political problems, especially the Terai identity, are found to be deep and divisive, persistent and impoverishing. It is tending to attract external predators and opportunists, who, for reasons of their own, have exploited internal rifts, aiding fuel to the fire in Nepal. According to the UNDP Human development report, many countries have adopted democratic political institutions that exclude significant groups of people especially the minorities. The political exclusion has not only hindered the consolidation of democracies but also has sometimes led to political instability and violent ethnic conflict. So, it is important to provide some reservation and rights to minorities and backward people in the state mechanism.

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<sup>85</sup> Rajendra Pradhan and AV Pradhan, op.cit. p.13

<sup>86</sup> Ibid p.14

### 3.2.4 Respect of rule of Law and Human Rights

The constitutional provision is not long practices in Nepal for running a government and providing the way to its people. It has less than six decades of history. It has long history in western democracy country like in Britain. France and USA. The constitution is very important term in democracy Which advocates the rule of law .Many scholars define rule of law ,emphasize that all citizens should be equal or treated equal without regarding caste, wealth ,position ,and etc<sup>87</sup>.

Nepal's first constitution was the interim constitution of 1950. It was the first and written democratic constitution provided by King in the consensus of them political parties and ruling elite. In 1959 Mahendra also provided another constitution and after the arrogation of multi-party democracy in 1960 and he brought another constitution in 1962. It had supposed the monarchy as sovereign not the people and restricted peoples some fundamental rights.

The constitution of 1990 that was drafted by commission has clearly explained about sovereignty that lies with the people. The basic objectives of the new constitution as stated in its preamble are: to guarantee basic human rights to every citizens of Nepal and consolidate parliamentary system by promoting the spirit of liberty, equality and fundamental rights to the people. The monarchy has been accepted as an institution of national importance and its role as an integrative force has been acknowledge in the constitution. The emergency power was vested in monarchy. An independent judicial system has also been framed in the constitution<sup>88</sup>.

Since the mid-1990, Maoist insurgency started that took the very dangerous form in Nepal. In this insurgency, people were humiliated, kidnapped, murdered, being internally displaced tortured and suppressed by both insurgents and security personnel. There were severe human right violations. Media and human right organizations has raised their voices and concerns about human right violation and gave suggestions those who are violating the human rights of people.

It seems that people got, after the establishment of multi party democracy, the constitution and human rights but the people could not sustain and protect their rights due to insurgency, emergency period, and autocratic regime of King Gyanendra. It is

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<sup>87</sup> Ibid p. 17

<sup>88</sup> B.C.Upreti, op.cit.p.17

true people slowly were becoming slowly socialized with democratic values as well as universal human rights. During that time insurgency, emergency period and king's autocratic regime put it in the shadow. After the April Movement or Jana Andolan part two is signaling to provide peace in Nepal and to sustain and way to the democratic universal value of human rights. Insurgents are also participated in April movement of 2006 and they are agreed to come in the multi party democratic mainstream of Nepalese politics. They also have promised to respect the human rights and their voices. It shows the bright and hopeful future of Nepali people.

### **3.2.4 Broadening of Politico-Bureaucratic Structures**

Today no government can function without an effective bureaucracy. It acts as the guardian of general public interest. All democratic governments are party government but it is the duty of the bureaucracy to implement public policy to all without any discrimination. It is accepted that bureaucracy in democracy is to function under political control but that should not mean politicization of the bureaucracy. They must be allowed to maintain "responsible neutrality for the success of democratic rule"<sup>89</sup>.

The political, bureaucratic and military structures of Nepal have been traditionally dominated by high caste people Brahmin-Chhetri-Newar belong to the hill areas, which also represented the Nepali culture. In fact, these three castes belonging to the upper most layer of the social hierarchy dominated economy as well as polity. The caste based feudalistic bureaucratic structure in turns received protection and over the years, these groups alone represented most of the high positions in bureaucracy or polity. After 1990, it was realized to broaden the political and bureaucratic structures but it was very difficult. Leaders after 1990's popular movement faced the challenge in creation of a capable bureaucracy, especially the civil service. The ability of the government to implement programmer and policies suffered due to incapable and highly politicized civil service. Government in some extent could not able to change and was excellent in controls and curbs. Many critics of government of 12 years

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<sup>89</sup> Don K. Price, Democratic Administration, F.M.Marx (ed.) Elements of Public Administration 2<sup>nd</sup> ed., Engwood Cliffs N.J. Prentice Hall 1959, p.103.

after 1990, was a nuisance of the value regarding to neutral and stable bureaucracy for Nepalese people.

Many social and culture groups like ethnic and so called splits, backward and people of Terai are gradually seeking their representation in political structure as well as in bureaucracy. The interim government had to face many problems in changing and modifying the attitude and behavior of bureaucracy. The bureaucracy in terms of both its attitude and behavior and a balanced ethno-regional representation in bureaucracy<sup>90</sup>.

After 1990s people from different ethnic, dalits, backwards and madhesies raised their voices for broadening the politico-bureaucratic structures. It is taking the effective campaign of ethnic and madhesi people after the April 2006 movement for it. It is important that the government and concerned authority should take the effective step to address the crucial issues of people in democracy.

### **3.3 Role of political Parties**

Theoretically politics work as a catalyst for the change. They guide the individual citizen from the confines of the family to frontiers of the nation through political induction, dialogical orientation, and practical training. Party ideology provides the common identity among the people of various groups. This common identity becomes the foundation of democracy and nationhood. Political parties can exist only in democratic condition and they endeavor to keep the democratic condition alive<sup>91</sup>.

Parties work for and with the people supporting their cause, identifying their problem, weaknesses, and strengths, and lobbying for the weak and vulnerable. Judging one and half decades of party rule after the 1990, the political parties on the basis of these qualities, it can be observed that they could not go ahead fulfill it. Khanal (2001) writes first, they forgot the people soon after the election and engaged in power snatching game all the time. second,

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<sup>90</sup> B.C.Upreti, op.cit. p.23

<sup>91</sup> Rabindra Khanal, *Democracy in Nepal: and its challenges and prospects* op.cit.p.83

those leaders and workers, who became minister turned corrupt and amassed with wealth immorally, thus the party in the eyes of the people. Third, the party origination was not democratized in most of the cases. Fourth, the parties in power failed to control the spread of the violence Maoists insurgency through negotiation or other political means. Fifth, the parties failed to raise the participation of various ethnic communities, oppressed ones, particularly the women folks of all the communities, both in the party organization and in the public offices to be filled in through elections and through appointments. Most of the parties to become the gathering centers of Brahmins, Chhetires and Newars. The ethnic and oppressed communities were altogether neglected. It is fact that these communities lost their faith in the intentions of political parties. It is very important to raise the question that what is the prospect ahead of political parties regarding the voice of ethnic and minorities. In Nepal, many political parties have born out of specific philosophic vision, political ideologies, and socioeconomic goals after 1990s<sup>92</sup>.

Khanal further writes "in the absence of these elements, any human gathering cannot be called political party, no matter what short-term goal or interest such a gathering can attain. The vision, ideology, and goals attract the masses to specific party that in the eyes of the people addresses the interest of the maximum number of the people. However, the parties that address the interest of the maximum number of people become the popular and strong. The parties want to gain the political power in order to be able implements its people programs to meet the socioeconomic goals. But when power stationed, it is commonly observed in Nepal the most of the parties forgot their ideologies and indulges in matters of personal benefit and thus invites popular indignation<sup>93</sup>.

The restoration of the democracy in Nepal as a result of 1990 political movement had to open a large vista of evolving a full-fledged pluralistic democracy. But in practice, the system could not open to a myriad of minority

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<sup>92</sup> Ibid p. 84

<sup>93</sup> Ibid p. 84



ethnic and oppressed communities, and the women in power structure of the state. This was mainly due to the failure of the political parties to institutionalize participatory democracy. This had given rise to an increasing list of grievances among the under represented communities. It is supposed that misdeed of political leaders were party responsible for the growth of Maoist rebels. This was also responsible for the weakness of the parties themselves for which reason the king hit the system at the very foundation of democracy and grabbed the power out of the hands of the people's representation. In fact, the democracy cannot be conceived in the absence of political parties. The roles of parties become more crucial in a multi-ethnic country like ours. Both the people's movements first and second had to snatch back power from the king. It was political parties that fought the battle and the people in the fight. In the light of grievances of the parties, a brief is to make here as to the correct the role of parties. The parties could not work hard to regain trust of the people, particularly the ethnic, women, disadvantaged and oppressed communities. It is now late to start the parties that can increase the participation of the people of various communities in their respective organizational ranks and starts a chain of interaction throughout the country<sup>94</sup>.

The most important political party groups have their roots in Nepali circles exiled in India in the late 1940s. Politico-historically, the 1950s had been times of dispute between these young parties and the monarchy, which was anxious to restore the sovereignty and absolute power it had lost to the Ranas some 104 years ago. After the establishment of democracy in Nepal first time political parties contested in fair election to form a legislative and government from the people mandate. Nepali Congress got the overwhelming majority in election and formed the government. The NC government has working well; the king dismissed the parliamentary democracy in 1960. Under the Panchayat

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<sup>94</sup> Shrerestha, Op. Cit. 10

system, political parties were outlawed. It was only after the democracy movement of 1990 that political parties got functional positions<sup>95</sup>.

The foundation and self-assessment of Nepal's current party political system was codified in the constitution of 1990. The preamble of the constitution already gives some indication when it claimed that constitution had been made with the widest possible participation of the Nepali people. Shrestha<sup>96</sup> further says "all the Nepalese political are very much personality oriented i.e. they organize themselves around a few outstanding party leaders. They leave their mark on a whole party. Party conventions may have elected them but they often arrange the selection of the delegates in a way that already anticipates the election results. Once confirmed in their leading position, they have an enormous power that has only little to do with democracy. Political bosses, in an instance, determine the composition of the most decisive party committees according to their own interests and private responsibilities. As a consequence, the leading circles of the Nepalese parties are made up of a clientele of the party leaders that remains more or less static, outside have hardly any chance to be admitted. This is especially true for persons from groups and sections of the population that have been traditionally discriminated. The parties are responsible for the both development of political parties unable to provide meaning and value of democratic process due to severe insurgency, political conflict, intra-party and inter-party conflict as well as rampant corruption. Instead, democratic discontent arose due to the discriminatory state policy.

The Nepali Congress which was expected to take the responsibility of giving the Country a resolute, efficient and progressive government and thus provide to Democracy a stable footing, is faced with internal strives, dissensions and groupism. The party leadership has been divided on several issues. It seems

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<sup>95</sup> Karl-Henz Kramer, Nepal: State in Danger: The Political Situation, Security-Political Implications and Perspectives, Journal of Political Science, T.U. Kathmandu, Vol. VIII, No.3, June 2005.

<sup>96</sup> Tulsi Narayan Sherestha, The Concept of Local government and Decentralization Op.Cit. P.7

that there was a conflict of personal ambitions. Their differences among its leadership had sharpened so much so that an emergency meeting of the party had to be called on 16th September 1991. In which, Koirala had offered his resignation conceding the demand of Ganesh Man Singh that either Koirala should resign from the post of Prime Minister or he will quit the party. The reorganization of Ministry by Koirala by dropping out six ministers in December 1991 again created a crisis in the party. While Ganesh Man Singh strongly resented such an action, K.P. Bhattarai said he had learnt about the reshuffle through radio news. G.P. Koirala again offered his resignation in the February, 1992 convention of the party and a conflict between the party and the government was just averted. The Koirala government had to quit in mid 1994 due to the opposition of a group of its own party MP's and along with defeat in mid-term election of 1994<sup>97</sup>.

After the fall of nine-month CPN-UML's minority government, Sher Bahadur Deuba became Prime Minister, of a coalition government. It was believed that new leadership would be able to keep the party united. But Deuba was considered to be a man of Bhattaria camp and he had to face opposition from, Koirala group. The Deuba government also faced the same kind of internal opposition as earlier.

The group politics within the party was again instrumental behind the change of leadership of the government in March 2000 when Bhattarai had to quit as prime Minister. Again in December 2000 some members of the Nepali Congress has raised their voice against Prime Minister Koirala and a crisis has just been averted. Thus, it can be said that the Nepali Congress is a highly faction ridden party and the incumbent governments of the party have said heavily for that. But it is not the Nepali Congress alone that is faction ridden. Other parties too are equally divided in to different groups. The CPN (UML) got divided into two parties towards the end of 1997, when its hardcore faction

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<sup>97</sup> B.C. upreti,op.cit.p.30.

formed CPN (ML). Again this party became reunited but some of the prominent leaders and other traditional elite got divided into the Chand and Thapa groups. This party after the 1999 election united again. Again now, party has divided more than three groups. Nepal Sadbhavana party is also faction ridden. During the leadership of Gajendra Narayan Singh, this party was united and worked. After the death of leader Singh it splintered in Mandal group and Annadi Devi groups, and became two parties after the royal coup of 2002. After division of party, some of its top leaders had left the party to form a new one but some of them came back later on.

It is believed that political parties have not been able to play their role fairly. They lack inner strength, strong social base, ideological commitment, strong and farsighted leadership and a clear approach and perspective on national issues. There is also lack of inter party consensus on national issues. It is true that political parties remained inoperative for a long period of Panchayat rule. Hence, their organizational base has been weak but what about their commitment to democracy, ideology, and development<sup>98</sup>.

Borre, et.al. Wrote "Nepali society doesn't distinguish between political, social and personal relations. His social status and personalities determine the political behavior and the range of influence of individual. As a result, political parties tend to be oriented to some aspects of communal leader or framework of politics. Power resides in the person of high officials and not in their offices or institutions, personal cliques act as intermediaries in decision-making. The personalized nature of power provides the party and governmental leaders with a high degree of freedom in determining the matters of strategy and tactics. It, in turn, determines the nature of the political loyalty of the followers. Institutions are used to formalize the decision made by particular clique in some leader's living room<sup>99</sup>."

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<sup>98</sup> Ibid. P.30

<sup>99</sup> Borre et. al.op.cit.p.44

In that situation, what could people expect of Nepali democratic way of life is going to be painful in Nepal in view of contradictions inherent between the traditional cultural norms of Nepal and the dynamic of plural democracy, as it is understood in western democracies? The western concept of the rule of law that justice should be equal before law is an alien concept for the majority of the Nepali people, while the elites are not tired of playing lip service to this concept. They in reality, themselves ignore it. Political party leaders no matter how democratic and secularist, they may describe themselves, used traditional values and norms to consolidate their power and influence.

Therefore, it is important to outline some of the basic characteristics of the political process and dynamics of Nepal that are likely to shape the future of Democracy. Nepali political culture is even now semi-feudal that no political parties showed their performance, leadership, and governance within party and the government. Their party constitution was different and their behavior was different<sup>100</sup>. The move towards electing party leaders has challenged the traditional centralized structure and authoritarian tendencies of the credibility of the leaders. The principal political parties still tend to be centralized, personality oriented leadership in higher levels remains elitist, and the high caste groups have increasingly come occupy leadership position in the party central committees and the House of Representatives. The erosion of parties ideologies, the increasingly power centric way that they functioned, and intra-party conflicts have reduced their capacity for mass mobilization. The functioning of multi-party democracy in the 1990s has been characterized by political instability a lack of effective governance. The erosion of norms and values and pervasive corruption, politics in Nepal deteriorated to its lowest ebb during the 1994 to 1999 hung parliament. It degenerated into a power struggle and a numbers game resulting in eight-coalition government in five years. Further, more in all the governments since 1990 the opposition has failed to play a

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<sup>100</sup> Ibid. p.8.

constructive role. Ideology policies and programmes have seldom featured as critical issues in opposition politics since then.

Nepalese people and leaders were not free from the hangovers of the past. They have been lacking confidence about self-governance. The nature and style of Nepalese politics has been affected by past traditions. Political conspiracies, intrigues of the past still affect style of politics, political loyalties, opposition mass politics, and mass psyche and so on. The political actions of parties, leaders, and the individual actors are highly personalized and there is lack of faith on each other. It is due to personalized politics that ideology has lost its role in politics. There is strong impact of feudalism in the style and working of many leaders. The way coalitions have come into existence and liquidated, leadership clashes etc., are all examples of political tendencies.

Nepali political parties and people were dedicated to bring democracy and just government in Nepal. In the very early democratic Nepalese political parties were not well trained and acculturated with democratic system totally. Nepali society with low socioeconomic and minimum level of literate people also could not assist the political parties to make conscious to the people, statute of the parties and the constitution of country. It can be said that political parties' statutes are more democratic and well written but in practice and the leadership of political parties lacked the dedication and commitment to important that political parties faced very challenging difficulties since the establishment of coalition governments. So in the early period of democracy, it cannot be said that democratic parties were for failure to sustain democracy and create the environment of good governance. In essence, those political parties and leaders fought for democracy and tried for good government with them many factors were also responsible for it. After the royal coup of 2002, political parties tried to gain their good images from their continuing attempt for democracy, settling political problems with good governance.

### **3.4 Problems of Inclusion or participation in State Mechanism**

Democracy and development are inter-linked. Describing development as a positive movement from one stage to a better stage, we can ask ourselves how this be achieved in the societal context without the participation of the bulk of society. For development to take place, therefore, participation becomes crucial. The key words here, then, become identification and participation. These two terms are applied very much in definitions of democracy. For a population to identify adequately enough to participate, they must find the right incentives. Participation is the process of involvement of people at work for objective setting, programmes execution, alternative selection, decision-making, benefit sharing and evaluation. It is one of the important mechanisms to influence government decision-making by private citizens. In traditional societies, participation is the concern of a small elite group who always tries to exclude others for their own benefit. The poor and ignorant ones have other things to worry about, are rarely represented in the political, decision making process<sup>101</sup>. In modern democratic system, no people can be ignored on the basis of their weaknesses. They should be treated equally and brought to a certain level of participation in decision making because if the larger mass is out of the political process the consolidation and growth of the system is hampered. Traditional society is non-participant and modern society is participating<sup>102</sup>. The state, in this regard, should create conditions for popular participation enacting different rules, regulations, and laws creation of several mass based organizations and promotion of indigenous social-economic and political development of the society.

After the establishment of multi party democracy in Nepal in 1950, it brought some changes and liberal ideas about citizen rights and people participation in national politics. Democratic constitution of 1990 in Nepal, participation has been a stated in the policy of the government. Decentralization

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<sup>101</sup> Rabindra Khanal, Democracy in Nepal: and its Challenges and Prospects Op. Cit. P. 76-77

<sup>102</sup> Danial Lerner, The Passing of Traditional Glance,"3rd (edi.), the free Press, New Delhi, 1958, p.50

schemes as envisaged by the constitution have brought the local institutions into existence at the village level, cities, and at the district level. These have become the primary institutions for people's participation. The present system has also secured places for women and weaker sections of the society for participation but the process and the consequences it has offered are still very limited<sup>103</sup>.

Nepali society, as one of the traditional societies of the world, is made up of many traditional and indigenous organizations. These traditional organizations, if empowered or regenerated, would provide even wider scope for participation. The local people participated and managed the religious and social functions of the society that demanded less involvement of the government in these works<sup>104</sup>. People participation incorporates special provisions for the advancement and protection of the interests of women children, dalits, ethnic and disabled. Increasing people's participation in governance is an encouraging trend those who have exploited and discriminated against and marginalized are beginning to organize to challenge the tradition of the privileged caste groups. Many ethnic and religious groups took ground to advance or make the Nepal secular state. Social movement launched by women, Kamaiya (bonded laborers) and the Dalits against their exclusion from the power structure are exemplary cases. Women are discriminate in many ways and only have a minimal presence in decision-making<sup>105</sup>.

In Nepal the concept of participation has long history. People participated in many development events like building temple, irrigation canal, roads, and etc. on a community base. But participation of people in political process as policy and decision making, more according to constitutions is not more than five decades. Before 1950s people participation was only limited on community based (as building village roads, making bridges, public places like temple, Chautara, Pati, Dhara and Well and community irrigation) and religious roles.

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<sup>103</sup> Tulsi Narayan Sherestha, Op. Cit.p.3

<sup>104</sup> Huntington et.al., No Easy Choice: Political Participation Developing Countries,,: Harvard University Press, Washington D.C.,1976, P.1.

<sup>105</sup> B.C.Upreti, op.cit.p. 18



Political structure of Nepal was only limited within hands of elite family before Rana regime,. Among them were Thapa, Basnyat, and Pande from the Brahmin and Chhetri especially those who were close and trusted by ruling Shah and Rana family. Participation in the state bureaucracy of ethnic and dalits groups is not improving comparison with Brahmin, Chhetri and Newar. Even, after the restoration of democracy, it seems that participation of ethnic groups is not improving. For instance, in the recruitment of gazette officers, the Newar ethnic group, which had 18.5% representation in 1990/91, had only 8.7% in 2001/2002. Similarly, there was no improvement in the recruitment of gazette officers from amongst the Dalits, other ethnic groups, terai castes, and Muslims during the decade post-1990, while that of the Brahmin /Chhetri group increased from 67.3% to 87.0% for the same period. Overall, the share of ethnic group in the judiciary and the civil service is a low 2.4% and 2.3% respectively. One of the reasons why the latter groups are under-represented in these institutions is that their representation in political parties is nominal. Only 15.15% of the top party leaders are Janjatis, and only 15.76% are Madhesis. There are no Dalits among the party leaders. Consequently, they have little influence in selecting candidates for elections, who once in power to appoint ministers, influence the appointment of civil servants. Women make up 9% of the civil service, with only 2% at a decision making level<sup>106</sup>.

Ethnic community and dalits were fare better at local levels of the governance structures than at the national level. This is especially so in areas where ethnic groups predominate, and the local ethnic elites are able to muster sufficient votes for themselves. For instance, the Gurungs in Pokhara have a higher HDI and more representation in the local governance structures. Nonetheless, Brahmins and Chhetries continue to dominate even at the local level by virtue of being the traditional land-based elites. Although their influence here is less than at the national level, where, because of their

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<sup>106</sup> Ibid p.17.

connections to the central party leaders, they are able to influence the selection of field connections to the central party leaders, they are able to influence the selection of field candidates for elections. In a sample of 735 village Development committees (VDCs), 54.42%, 39.42%, and 1.63% of the VDC Chairpersons, and 52.11%, 37.82% and 3.95% of the VDC Vice-chairpersons were Brahmin/Chhetris, Janjatis, and Dalits, respectively<sup>107</sup>.

Participation of all in every sector of state structure is necessary but in Nepal, even now peoples raising their voices for the appropriate and proportional participation in state structure. Sound participation of people in state structure is the base and ingredients of Democracy and good governance. The democratic constitution of 1990 was supposed create the open sphere for the participation but people found some weak points and April Movement Government and concerned people and community are agreed to makes new constitution more inclusive and participatory than before.

### **3.5 Local Government and Decentralization**

Khanal<sup>108</sup> writes, "While thinking about local self-government, good governance is all the more important. The local government is autonomous and small and is the basic units for the exercise of democratic values. If local government can be managed well and have good governance in them the state becomes politically healthy because the state is the combination of all the smaller units. Decentralization helps to realize democracy from the grassroots all the way to the national level. Local governments, in fact, are the ingredients of democracy that prepares every individual as a useful member to the society for its good governance, and further participatory democracy to its true meaning. Good governance demands accountability, legitimacy and transparency from the government and there are no better organs than local self-government unit for exercising these aspects of democracy."

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<sup>107</sup> Gurung, Harka, Nepal: Social Demography and Expressions. New Era, Kathmandu, 2001 (as cited by Rajendra Pradhan and Ava Sherestha op. cit. p.10

<sup>108</sup> Rabindra Khanal, Democracy in Nepal: and its Challenges and prospects op.cit.p73.

Democracy, in reality, begins from the grass-root and the leadership is developed from there. If the concept of democracy can be inculcated at the very bottom of the society, it will create a favourable political culture among the people as well as able leadership for the success of democracy even at the national level. Thus, democracy at the local level should be strengthened and enhanced which can be done through good governance. Nehru once said "Local self-government is and must be the basis of any true system of democracy; we have got rather into the habit of thinking democracy at the top not so much below. Democracy at the top may not be a success unless we build on its foundation from below"<sup>109</sup>. Good governance cannot be achieved easily or in a day. It is neither a magic stick nor nay kind of formula that can be used so easily. It needs strong will and determination, dedicated political leadership with honesty and far-sightedness to change attitude, behaviour and action of their own, as well as people will to be involved in public work or politics. Good governance can be developed along with the public political culture. If the people are ignorant and passive towards the system and the government, the system does not face any challenges from them as a result of which it slowly turns to be authorization. If the people are actively involved in the system and question every move that it talked then the system has to be responsive. People need to be aware of what is going on in the state, society or in their own locality that affects their life<sup>110</sup>.

Modernization and democracy presumes Decentralization of power. In a decentralized political structure, it can be said that decentralization promotes democracy and development. Both are preconditions to good governance. Decentralization could be both horizontal and vertical. Horizontal decentralization means distribution of powers between various institutions at the same level. Horizontal decentralization means distribution of powers among different tiers of authority in a hierarchical manner. It can take three forms:

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<sup>109</sup> Tulsi Narayan Sherestha, op. cit. p.6.

<sup>110</sup> Rabindra Khanal, Democracy in Nepal: and its Challenges and Prospects, op.cit.p.75

decentralization where work of the central authority is distributed to various offices; delegation means transfer of some power to the local bodies with the ultimate source of power lying with the central government itself and devolution, which refers to full autonomy to local bodies.

Dahal<sup>111</sup> says that good governance may also be defined as a process encouraging "staff incentives, training of civil servants, administrative and fiscal decentralization, and dialogue between governments and civil society. It is believed that decentralization of political and economic power is the core of good governance. The power should not be concentrated at the center but needs to be developed to the local institutions. It is also taken that decentralization will ensure democracy and development and both are preconditions to good governance. Thus, decentralization of power within a political system characterizes good governance."

Nepal's experiment with democracy and decentralization began in 1950 after the Rana system was overthrown and arrangements were made towards the establishment of a democratic political order in the country. The interim act of 1951 made some arrangements towards democratization. However, the intra-party and inter-party fluids and complex socio-economic conditions made diffusion of power and democratic governance rather difficult. The 1959 constitution did provide a framework and an opportunity towards democratic decentralization. However, the political instability and the party and leadership clashes had already convinced the king about the sustenance of a democratic government and this induced King Mahendra to take over power in his own hands<sup>112</sup>.

The Panchayat system, which came into existence in 1962, provided distribution of powers among the four tiers Panchayats. But this hierarchical arrangement was more theoretic-constitutional and in practices, the lower tiers

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<sup>111</sup> Bongartz, Heinz and Dev Raj Dahal ed. Development Studies self Help organizations NGO and Civil Society, NEFFAS, Kathmandu, 1996, p56-61

<sup>112</sup> B.C.Upreti, Op.Cit. P. 22

of village Panchayats, and town panchayats hardly enjoyed powers. In fact, there was over centralization of powers. After the 1980 referendum, the decentralization act was passed in 1982 and 1984. However, the centralized monocratic system did not allow decentralization to become a reality as the Panchayat were devoid of powers and functions. Thus, though the panchayat system provided for a decentralized politico- administrative apparatus, in practice, there was always an over centralization of powers. The Panchayat systems lacked a political commitment and support to decentralization<sup>113</sup>.

Nepal received a clear direction regarding to decentralization after the establishment of democracy in the kingdom in 1990. The constitution of 1990 embodies decentralization in its Directive Principles of state policy. The purpose of decentralization was to be to ensure greater participation of people in the governance of the country as stated in the state policy. The local Administration Act of 1991 laid down detailed rules and regulations regarding local bodies. The village and municipal development committee have been made basic units of local self-government. In the election of 1991 election of local level political institution (like village development committee, municipality, and district development committee) Nepali Congress representative took the majority seats and CPN (UML) got second place. In 1996, a Decentralization Commission was constituted to suggest about the scope and jurisdiction of local bodies. In 1997 decentralization act passed from the parliament that provided many authorities and strengthened the local level. In local government as well as in bureaucracy, there is same trend of centralization. In 1997 election, local level institution was made more powerful by carried out decentralization act 1996. In 1997 election CPN (UML) got grass-root support all mostly majority place in local election.

However, the local bodies were not totally free to run the local bureaucracy on their own because of provisions in the law that the chief

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<sup>113</sup> Ibid. p. c 22-23.

executives in all the tiers of the system will be appointed by the central government. On the other hand, many of the clauses have been qualified by the term "as prescribed" which means that they will be and managing the personnel by local institutions will provide the necessary foundation for local democracy.

They obliged to accept central government agents into their organization. The system of personnel management in the local government institution was a planned action of the central government. The centre still didn't have full faith in local government that in the long run may create more misunderstanding between the local and central government. The bureaucrats at the centre still have not been able to give up their traditional powers over every part of the country. However, total freedom in matters of selecting, recruiting and managing the personnel by local institutions will provide the necessary foundation for local democracy.

It can be said that there has been a constitutional and political support to decentralization unlike the panchayat regimes. However, in practice it has not been possible to make the local-bodies effective in terms of raising the levels of political participation and effectiveness of these institutions in combating poverty, unemployment and resource scarcity and insurgency. In fact, the local bodies' institutions are undermined due to political resistance, bureaucratic passivity and lack of economic means so as to function as an instrument of development and change at the grass root level. The over all scenario of governmental instability, intra-party and inter party conflicts, leadership crisis and so on has also adversely affected functioning of the local bodies. However, total freedom in matters of selecting, recruiting and managing the personnel by local institutions will provide the necessary foundation for local democracy.

Nepal since 1996 faced serious challenges from the insurgency and intra-party conflict as well as inter-party conflict. Most of the Nepali political parties faced difficult ways in their practices of multiparty democracy. Since the restoration of democracy in Nepal, 1992 and 1997 respectively first and second

election for local level was held according as the spirit to decentralization. Third election could not hold security reason as well as then government did not will to continue the term of local level authority. There is no consensus about the running of local government whereas lengthening the tenure or to give the authority to local bureaucrat.

It is important to agree that crisis in (government) governance creates disparities in the social economic and political arena, further worsening the aspirations of people. Recognizing the supremacy of people, the time has come to motivate them and see that they are not barred from the fruits of democracy and their active participation in local level and to motivate them<sup>114</sup>. After the 1990, local government could not function soundly due to lack of sufficient resources and proper incentives and the raise of Maoist intervention and its parallel government in local level. After the success of April movement there is the environment for consensus to run the local level development and local government.

### **3.6 Problem the Controlling of Corruption**

Corruption is the abuse of public office for individual or private gain. Corruption has always existed but it has increased over the years. Poor people usually have to bribes, but now they have to bribes almost every time they encounter with the government<sup>115</sup>. There fore, corruption can be financial, nepotism in public appointments or orientation of a policy to favour somebody. The holding of political power permits a wide range of nepotism or possibly corrupt practices: partial policy decisions in return for favour, political appointments as rewards to favored individual or groups, policy formation aimed at acquiring personal wealth or influence and so. The outcomes of such corrupt practices are two folds. First, it produces a government that governs according to its own narrowly defined and partial interest at the expense of other

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<sup>114</sup> Ibid.

<sup>115</sup> Feinstein, Osvaldo and Robert Picciotto, ed., Evaluation of Poverty Reduction: Proceeding from a World Bank Conference, Washington D.C., 2000

interests in society. Second, it breeds deep popular cynicism that will inevitably obstruct the busyness of good governance<sup>116</sup>.

A mechanism that instills public accountability and transparency can put the brakes on corrupt practices. After the first election in 1991 in south Africa introduced which set the careful limits on behaviours relating to the acceptance of gifts and favors? Thus, reducing the risk of corrupting influences, the judicial system must guarantee and enforce transparency through real mechanism of monitoring compliance and redressing violation of rights. The oversight functions of judiciary and both the executive and the legislature and generally of the entire public administration, are the important elements in democratic consolidation, especially in the fight against corruption<sup>117</sup>.

H.R.Khanna writes on "Political Corruption to New Hopes" that if there are three vices which are mainly responsible for eroding the moral values in the country, one would have no hesitation in pointing out one's finger towards lust for power, corruption and black money. They are close allies of each other work in unison and have spread their tentacles to almost all walks of life. He further mentioned that there was a time when under the leadership of Mahatma Gandhi, India showed to the world that even politics could be based on and linked with rules of ethics and morality. But the present the result is that the political life in the country got immortalized and joining politics came to be looked as the quickest means of getting into the seats of power and acquisition of wealth<sup>118</sup>.

The corruption is a widespread problem on most of developing countries. In the south Asian countries, corruption is widespread and deep-rooted. There might only be variations in the intensity of corruption. The corruption has been characterized by misappropriation of public funds, misuse of power, favoritism

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<sup>116</sup> Chuda Bahadur Sherestha, Nepal Coping With a Maoist INSurgency, 2004, Kathmandu P.116

<sup>117</sup> Robert H. Phinny, "South Africa's Minorities have Rights" The Kathmandu Post, National Daily, July 12, 2006 and Printed on International Herald Tribune, on June 24, 1992.

<sup>118</sup> H.R., Khanna, Political Corruption to New Hopes, Crime and Corruption to Good Governance, Uppal Publishing house, New Delhi, 1997, p.15.



etc. In Nepal, corruption has long traditions and it was supposed during the panchayat era, corruption was widespread. Even the party leaders themselves had publicly spoken, about corruption was widespread. After 1990s, a large number of cases of corruption have come into highlight. Even the party leaders themselves had publicly spoken, about corruption during the time of election, intra-party leadership rivalry and in when they are opposition. Leaders have been blamed each other's being corrupted. It is true in Nepal Congress, CPN (UML) that those leaders blamed publicly each other being corrupted when the party splited into two or more fraction. Shailaja Acharya spoke about the corruption in the government and quit from the government on the charge that she spoke against her own government. In 1991, Royal Nepal Airlines Corporation appointed an agent in Europe under the influence of a relative of the then premier, resulted in heavy losses to RNAC. Later on, an inquiry commission was established and the former prime Minister had to appear before the commission. Among notorious cases in which members of parliament, ministers and high administrative and diplomatic officials have been found being involved in corruption issues. Among these are china air scandals, fertilizer scandal, purchase of land rovers and pajero issue, selling diplomatic passports, smokeless stoves, return of Bharat jungs assets etc. These cases had led financial irregularities, corruptive motives, and straight away financial loans. The Auditor General's report pointed out that the financial irregularities reached to Rs. 22.7 billion Up to 1996<sup>119</sup>.

Corruption, nepotism, and mal-administration have been common phenomenon in Nepal. To combat corruption, Nepal established a high level constitutional body under the constitution of 1990. Alok K. Bohara, professor of economics at the University of New Mexico USA, declares about the scenario of corruption in Nepal, that "wit no accountability required, once the elected policy makers take office, personal interest not ethics dominates their

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<sup>119</sup> B.C.Upreti, op. cit. 25

behaviour. With expensive elections in near future, it pays to focus more on projects for the special interest groups. After all, they need money to run expensive election campaigns.

Many corruption scandals happened in Nepal and even head of government to clerk of lower level of government offices were charged of corruption charges and some them were trailed and investigated and among those were high government secretariat and administrative officers. Corruption is prevalent in the exam for the entrance and appointment of civil service, issuing fake citizenship, and passports by official while receiving undue financial benefits.

Shrestha<sup>120</sup>, writes corresponding the media about corruption. "The Nepal police and functionaries are also said to be involved in rampant corruption in the course of new recruitment, promotion and posting of police personnel, crime investigation, issuing driving licenses and awarding tenders."

A large part of Nepalese budgetary system depends on foreign aid on the other hand massive miss-utilization; misappropriation and corruption exist in the development administration. Therefore, all the major donors including the USA, Japan, Germany and others are keen to give support until Nepal is able to improve the administration for corruption and good governance. Mieko Nishimizu the vice president for south Asia of WB said, "Nepal has a serious crisis of governance and high level of corruption. And she further added that we are not convinced with the overall quality of the policies, and the government of Nepal<sup>121</sup>. Kofi Anna, Secretary General of UN stated in this message to the global forum on fighting corruption and guarding integrity at The Hague on 28<sup>th</sup> may, 2001, "Public sector corruption weakens the democracy, encourages organized crime and threatens countries all over the world".

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<sup>120</sup> Bongartz Hienz and Dev Raj Dahal, Op.Cit. P. 120.

<sup>121</sup> Prateek Pradhan, Crisis of Government Limits Aid to Nepeal:WB, the Kathmandu Post, National daily, September 11,2002.

The NC government made the CIAA more powerful and more authoritative passing the bill or making regulation from cabinet. After the Royal coup of King Gyanendra, CIAA arrested and charged of corruption to many civil servants and political leaders. They are found gained illegal earning and belongings than their earnings and paternal assets. Among those were high officials and influential leaders of political parties. The King also made the royal commission for corruption. It was notorious for its partiality and loyalty to king and to make to political public hatred as well as multi party democratic system and consolidate its own autocratic regime.

Similarly the commission for investigation Abuse of Authority (CIAA) received 1645 complaints about public servants. It rightly been pointed out that Nepal's efforts toward economic development in recent years have been subdued by increasingly acute and rampant corruption that marginalized the prospects for good governance in Nepal. Although good governance requires accountable, legitimate and transparent government, corruption has been the biggest voice that has widened the gap between government and the citizen in the absence of an active civil society.

### **3.7 Roles of civil society/NGOs**

Civil society has been described as a social value and a set of social institution. As a value civil society may be seen as reflection of the views and needs of the people community which may be expressed independently of the state. As a set of social institution, civil society consists, refers to the social organizations and groups which are distinct from, yet interact with, the government, the market and the family. These social associations such as trade unions, employer's federations, and professional associations, NGOs (which bring people together in a common cause) CBOs (CBOs set up are the grass-root level to pursue member based objectives) and religious communities<sup>122</sup>. Apart being the watchdog of government and business, a vibrant civil society is

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<sup>122</sup> CCGS, Centre for *Civil Society and Good Governance*, University of Hongkong, 2003 published at <http://www.hku.hk/ppaweb/form/ccgs-description.pdf>.

an important social partner of governance. At its best, It creates resources to solve the problems and directs social development, facilitates the public policy making and implementation, and promotes mutual trust among government, business, and citizens. International agencies have also recognized the link between their efforts to promote good governance and the positive role that civil society play to help achieve the aim. Civil society provides check and balance on the governments which would seek to act in a way that contravenes those values and activities because active citizen participation in the affairs of the state has traditionally been seen as an indicator of a healthy polity. A strong civil society plays a vital role in advancing good governance. The only way by which anyone divests of his natural liberty and puts on the bonds of civil society is by agreeing with other men to join in and unite in a community<sup>123</sup>.

Advanced countries and the donors have identified civil society as the key ingredient in promoting democracy and development in the economically less developed states of the south. The logic runs roughly follows that development requires sound policies and impartial implementation. Governments that are held accountable for their action can only deliver these. Accountability, in true, depends upon the existence of autonomous centers of social and economic power that can act as watchdog over the activities of politicians and government officials. Civil society consists of both the associations that make up these centers and enabling environment that permits them to operate freely. It is an arena of public space as well as a set of private actors<sup>124</sup>.

A democratic society needs an autonomous third sector of between private realm of business and the public realm of the state. The myriad of decentralized voluntary groups called the civil society become useful in shaping the core human values as freedom, justice, and solidarity as mediating structures

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<sup>123</sup> Robert Phin ny, op.cit.

<sup>124</sup> Kaviraj Sudipta Joshi, and Sunil Khilani, *Civil Society: History and Possibilities*, Cambridge University press, published by Foundations Books, New Delhi, 2003.

between the base and superstructure of the society. Civil societies also facilitate popular participation in the governance and development processes. They influence will formulation and the policy culture by empowering community building projects based on social political trust and equality<sup>125</sup>.

A vibrant civil society therefore helps make the institutions and actors of governance accountable to the people and empowers the society to articulate the democrat nation of Human existence. A democracy truly immersed in the civil society also fosters the delivery of collective actives. In order to grasp the dynamics of modernity, open up the society as well as to address historical and social circumstances of underdevelopment, Nepalese policy has legitimized the civil society domain. Non state actors are referred here as the third sector, civil society, non profit voluntary and self help organizations, non governmental organizations (NGOs) formal and informal associations of people and their social movement working together as agents of social change. It has concept that greater the existence of social virtues and civic trust the better the scope for cooperation among the state and non-state actors<sup>126</sup>. Essentially the government, as a benevolent institution, including which are considered to be better equipped at building up the capacity, skills and competence of poor and exclude people. Interestingly, some 150 international NGOs, and more than 31000 national and local NGOs are operating in a number of development areas in Nepal. The fundamental premise of the tenth plan (2002-2007) or the poverty reduction strategy paper (PRSP) has been recognizing in that development efforts over the last 50 years have not reached and benefited all citizens equally. Mainstreaming the marginalized groups like women, dalits, and people from the ethnic and socially, economically and politically backward, are to be included through targeted programmes<sup>127</sup>. During Shah Rule, the country's civil role was in the hand of king's representative who was sent administering the geographically

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<sup>125</sup> Bongartz Heinz and Dev Raj Dahal op.cit. p. 5

<sup>126</sup> Ibid.

<sup>127</sup> Bhusal, Lok Nath, Management by Inclusion: Assessing Targeted programs for Social Inclusion, the Rising Nepal, National daily, November 6, 2006.

isolated regions. During Rana rule, minimize attentions were given to the through for awakening the people about civic sense and development but Rana suppresses the flow of information. Therefore, the position o civil society's role and function remarried initial stages of Rana Rule totally dependent upon the ruling communities' interest<sup>128</sup>.

The media press and communication also moved with pace to educate the civil society. After 1990 political change, the civil society found itself in new situation. Peoples' demands and participation are best served in the Democracy. The Nepalese democracy has provided opportunities for the society's growth and development. It is important to indicate that civil society has a very crucial role in consolidating Democratic process and its association with vary i.e. agencies of National Development the new Democracy had given to civil society to take affective part in it and its development process. Beside the political, social, education, economic and so on functionaries, there are various other types socio religions, class and caste based ethnic organizations have tempted to mobilize their specific civil population for the cause sectarian interests as a communal approach in civil society<sup>129</sup>. In Nepal civil right activist as they are groins to represent their party line in the civil society. So the decided approaches of civil society organist are likely to influence the civil society's participation in the Democracy, if they would not have been divided, they could have played an effective role to educate people intent to consolidate democracy and providing base for good governance<sup>130</sup>.

### **3.8 Role of Education and Mass-Media**

Appropriate socio-economic and political environment is important for the sustainability of democracy. Education and media are the means to raise the political awareness and knowledge to the people. Democracy can not sustain only with the involvement of sentiments and emotional feelings of people and

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<sup>128</sup> T.N.Jaiswal, Role of Nepalese Civil Society in Strengthening Democratic Process, Journal of political Science Vol. VII No. 1-2,2003,T.U., Kathmandu P. 176

<sup>129</sup> Ibid p. 177-178.

<sup>130</sup> Ibid p. 179

its is profoundly supported through Action by the people made system of education and practices. Democracy is not nearly political system, it is way of life. Education plays a crucial role in transforming democracy into daily behaviors if it is delivered with a spirit of democratic values. To make it happen, introduction of civic education in the school curriculum is necessary. Education has a civic mission preparing informed. Rational humane and participating citizens committed to the values of democracy. The belief is that is through school that a country can produce democratic citizens essential for the sustainability of democratic polity. As a corollary if the country believes is going a head with the ideal of democracy it, citizens must learn what democracy is what its ideal are, what is accepted as civility in a democratic society<sup>131</sup>.

While we think of the institutionalization of democracy, the role of press or media is crucial. Independent, free and responsible press serves the cause of democracy by aiding and encouraging the process of the formulating public opinion issues confronting the society and the nations. It is the press which makes the people informed and aware. It puts forth their evaluation of governmental policies and programmes towards people<sup>132</sup>. Although still developing country, Nepal has built up a remarkable information system in comparison other countries in this region. The number of registered print media in 1996 was 1982 out of which 874 were newspapers<sup>133</sup>. There are number of TV and FM radio station besides the broadcasting service control by the government. Mass media being one of the very important agents for socialization, it provides information about politics and helps in shaping the attitude of individuals in relations to the country political system and makes the fully informed and acknowledged.

The twenty first centuries is the age of science and information, so, it can be assume the role and importance of media and formation. Mass-media like print media (Books, newspapers, government paper and etc., and electronic media (internet, email, Radio, television) has great influence now in the globe

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<sup>131</sup> Tirtha Raj Khania, Civic Education for Democracy, The Kathmandu Post, National Daily, June 7, 2006.

<sup>132</sup> Rabindra Khanal, Political Socialization and Political Parties at the Grassroots, p.45.

<sup>133</sup> Ibid.

even in developing country Nepal. They act as check on the arbitrary tendencies of the majority politics.

However in practice the press has not been able to fulfill this task due to the lack of adequate financial resources and impartiality on its party. Vary often we find newspapers indulging in party politics undesirable propaganda, misleading, Muddling, and character assassination. It seems some time true in third Worlds country. In Nepal, some newspaper related with party always neglected and insulted other party leaders directly and indirectly. But some newspapers loyal to king and conducted by autocratic regime of king providing financial came directed to kill the character of political leaders, people of different walk of life who supported the pro-democracy movement.

In Nepal, local and national media as well as foreign media played crucial role on 1990's political movement for the democracy and to make people aware and informed election. Media openly brought out the government strengths, weaknesses, and irregularities to the public. Media also played the crucial and dominant role to make the public informed and created the public support against King's undemocratic move and autocratic regime of February 2, 2004. Nepalese media and in some extent foreign media played major role to socialize the people about democracy and their rights and obligations.

Mass media are the crucial agents of socialization developing countries like ours, in which literacy, socioeconomic as well as development status is minimal. There fore along with robust civil society, media plays crucial role to consolidate democracy and empower and way out for good governance to the concerned authorities. An essential Aspect of well functioning democracy is the capacity for deliberation and discussion. The deliberative functions of political institutions and voluntary organizations are essential to democracy and its strengthening. Deliberations as an educative function that can help empower citizens and increase their investment in public decision making or policy making.



## **CHAPTER FOUR**

### **SUMMARY AND CONCLUSION**

#### **4.1 Summary**

Democracy is very popular and important term in the globalize world. Democracy and good governance are synonymous in modern politics. Good governance can be taken as an effective measure in finding out how democracy is working in a particular state and its a pre-requisites for democracy to work in a proper way. This study is intends to find out good governance practices as democratic values in Nepal. Nepal entered in to the democracy 1950 and 1990 with the attempt of political parties and global and regional environment played the catalytic role for the establishment of democracy in Nepal. Both the times, democracy was abrogated by the king in the name of unable to run state mechanism soundly and blamed to the parties which to be supposed as the wheel of democracy and articulator of information and interest of people. It attempted to assess the comparative situation of participation, accountability, corruption, as well as government practices and roles of civil society regarding to strengthen the good governance and democracy in Nepal. This study has adopted historical and comparative research design with secondary data to evaluate and analyze political development and good government practices in Nepal. To meet the objectives this study, different books, government gazettes and papers, journals, articles, and news were collected and analyzed from library and Internet. Summary of this study is as following:

Nepali is very complex in terms of ethnicity, language, religion, and geography. It is developing country having 1/3 of people under poverty and maximum unemployment rate and socio-economic situation is very low level. Nepal political history is more than 2000 years modern and united political history is not more than 250 years. Nepal followed the democratic politics only after 1950.

Nepal stepped in the era of democratic governance but there political institutions were not strong and capable enough to lay no strong foundations or there were proper socio-economic conditions for the successful working of democracy. As a result, despite 1959 general elections and an elected government coming into

existence, authoritarianism prevailed and a highly centralized system worked in the name of Panchayat for a three-decade period.

In Nepal. Democracy could not be sustained for a long time against strong authoritarianism. The constitutional system provided a basic framework of the operation of the democratic government in Nepal. However, in practice, two trends are visible. Firstly, there have been strong centralizing trends with regard to the working of the government. Secondly, the centralization of power has existed at all levels. These tendencies have resulted in non-fulfillment of needs and aspirations of the people on the one hand and alienation of various groups and the communities from the governmental structures on the other.

The 1990 democratic movement was a historic event in the sense that it succeeded in bringing an end to the authoritarianism and establishment of a democratic order. The Nepalese leaders have not been able to create appropriate structures for democratic governance. However, in practice it has not been possible to provide a strong foundation to these structures so as to achieve goals of good governance. The political parties were factions ridden and there were leadership clashes for power. It has not been possible for them to inculcate the democratic values in the society, build a democratic culture, institutionalize democracy, and thereby achieve goals of a civil society but situation in the beginning was positive towards good government and later due to various causes it to the fallings.

In post 1990s major parties like Nepali congress, CPN (UML), Rastriya Prajatantra Party (RPP) Nepal Sadbhavana Party and many more small communist groups represented in parliament and involved in government. Every government of major political parties made the good programmes and party declaration but in reality they it never came to be true.

Multi-Party democracy of Nepal faced two severe challenges created by assertive king and Maoists rebels with weaknesses of then ruling parties.

Maoist rebels disturbed the political parties activities in local level and King's assertive intention fired the democratic government and took all the absolute power of state within him.

The SPA and the Maoist rebels arranged the mass uprising against the reign of King Gyanendra. The royal government tried to suppress the April Movement of 2006 but with seven party alliance and Maoist rebels, civil society, international society voiced up for democracy. Frustrated by lack of security, jobs and good governance, people took the street to demand that the king renounce the power outright, but the royal government turned even more ferocious and continued its suppression. Public protest and foreign pressure compelled to surrender power. Due to pressure firstly king tried to be subtle but people were more conscious so they continually carried out mass protest. Finally after 19 days of tumultuous protest, on April 24, King called for the country's House of Representative (HOR) to revive.

The HOR announced constitutional Control over the army and the king, declared the state secular and initiated the process of democratization. The outcome of the April Movement in Nepal revived HOR, initiated major reforms and facilitated the transition from absolute monarchy to representative democracy.

The April democratic movement of 2006 is a historic event in the sense that it succeeded in bringing an end to the authoritarianism and establishes a democratic order and bringing the insurgents into the democratic mainstream of politics. As well as, it grabbed authority from autocratic king to carry out election of constituent assembly to make constitution and to restructure state. It can be hopeful the Nepalese State mechanism would be able to create appropriate structures for democratic governance.

The nature and style of Nepalese politics is still affected by past traditions. The political actions of parties, leaders, and the individual actors are highly personalized. It is due to personalized politics that ideology has lost its role

in politics. There is strong impact of feudalism in the style and working of many political leaders. The way coalitions have come into existence and liquidated, leadership clashes etc., are all examples of such tendencies.

Perhaps what has happened in Nepal is that because of the instability of governments and a number of challenging issues faced by the Nepalese society that is why democracy has remained in transition. Therefore, Nepal's search for good governance within a democratic political environment is half way achieved. What the country needs to do is to stabilize political institutions, broaden political and administrative structures so as to accommodate different groups and regions enhance governmental responsibility, accountability and transparency and attain economic equality with social justice to a considerable extent.

Nepal's politico bureaucratic structure has been remaining still highly in favour of the traditional ruling elite i.e. Brahmins, Chhetri and Newars. Different studies and data show the situation of women, dalits, and ethnics is significantly low.

Access in bureaucracy comparison with man. After 1990, some progress has been made towards broadening the politico administrative structures. But still much has to be done in this regard. The whole upsurge of ethnic and regional issues is related to the political domination of few caste groups. The ethnic and Madhesi (People from terai) groups have been demanding for equitable distribution of resources and position in bureaucratic and political structure of state.

Nepal's challenges of development are numerous. In the beginning of 1990s the speed of infrastructure development was better than panchayat regime and after mid 1990s especially after the beginning of insurgency in Nepal. Nepal's efforts toward economic development in recent years have been subdued by increasingly acute and rampant corruption. Good governance requires accountable, legitimate and transparent government. In Nepal,

rampant corruption has been remaining even after the restoration of multi-party system. It has widened the gap between government and the citizen in the absence of an active and strong civil society. After the emergency and royal seizure of power media and civil society appeared as a championing for restoring liberal democracy, to aware the people about anti corruption, voices for the respect of human rights and many more matters related with democracy, human rights and people expectation.

The most important challenges for any government is to put country development track with delivering peace and political stability. The government should be effective, responsible, and equal to its entire citizen. In practices of multi party democracy in Nepal, it could not provide the environment of good governance. Many studies have shown that ethnics, madhesis, dalits and etc. have felt that are excluded from the state mechanism. The politico bureaucratic structure is not more participatory as people expected when the democracy restored in country.

Nepal has adopted many provisions for good governance but in practices government with constitutional bodies could not implement soundly their programme and policies. However, judiciary is independent organ of government. In reality it has faced many problems of corruption nepotism, favoritism, delaying in justice, government less cooperation at implementing its verdict. Some situation remained in other constitutional bodies. Lack of transparency in the functioning and its revenue government, political parties, NGOs/INGOs are the common problems to governance. Accountability, responsiveness and transparency are need of government to every institution of state.

Civil society, professional organization and media can play crucial to create the environment for good governance making conscious people and guiding the way to government. In Nepal, civil society and media have increasing their effectiveness since the restoration of development than panchayat

regime. Civil society and media have been played significant role to make the voice up against human rights violation, corruption, and authoritarian rules.

In a highly stratified society like Nepal, where woman, deprived groups like ethnic people, Madhise (People from Terai) Dalits, people from Karnali rarely have an equal say in access and participation decision making process, a democratic process could facilitate them to raise their voices more vociferously than before. To structuring the state through new constitution made by people representative is the need of time, because people from different walks of life raised the issues about it.

## **4.2 Conclusion**

Democracy in Nepal is a way for democracy. Low socioeconomic status, weak and uncommitted leadership, intra-party and inter party conflict, corruption and Maoist insurgency hindered the good governance in Nepal. Good governance is the base of democracy for its smooth and sound functioning. That public enthusiasm and involvement must be sustained if democracy is to succeed in Nepal. People need to trust that the government is listening, is responding to their desires, is not only moving the country on the path to peace and political stability and economic prosperity.

Decentralization of political power among different institutions, which also ensure political participation at the level of their operation, is important aspect of democracy and also good governance. The traditional structures of power always believe in the concentration of political power upon a single unit while modernization and democracy presumes decentralization of power. In a decentralized political structure, development in accordance with the aspirations of the people can be assured. Therefore, it can be said that decentralization promotes democracy and development. Both are preconditions to good governance. In Nepal, participation of people in state structure is significantly in progress than in previous panchayat regime and kings direct rule of after 2002.

But the participation of women, ethnic, Madhesi, dalits and backward people of remote regions could bring the expected change and participation in political leadership, bureaucracy, judiciary, and others sector.

Democracy demands the active participation in public life of all citizens. In Nepal, people of all sects of society are demanding for equal participation in politico bureaucratic structure. Ethnic and Madhises people are demanding for regional autonomy. Those people, who, have been feeling suppressed and being backward demanding for reservations and privileges in state. It is supposed that the Maoist insurgency is indeed a culmination of popular discontent rooted in the socio-economic discriminations in the society and the negligence of the ruling elite towards the economic hardships faced by the common people and inherent social discriminations. Of course, there are strong political reasons as well. The goal of good governance can not be realized until social equality and equitable distribution of a resources and benefit as possible.

Establishment of democratic structure is one thing but the foundation functioning in democratic manner is another. The principal of democracy should be translated into practice in all the social, economic and political sphere of the country so as to transform the Nepalese society from its authoritarian nature into an egalitarian one. It is a matter of trust, confidence, and how the seven party alliances and the Maoists will act and behave. People are now judging the SPA and the Maoists because they displayed a paper what we call it, is the bond paper for peace, democracy and human rights.

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## ETHNIC, CASTE, LINGUISTIC, AND RELIGIOUS GROUPS

Major classifications		Major caste/ethnic groups	Language family	Religion
People from the hills and mountains (Pahadi) (66.2%)	Ethnic groups (janajati) (27.4%)	Magar, Tamang, Newar, Rai, Gurung	Tibeto-Burman (18%) Tamang, Newari, Magar	Buddhism (10.7%) Animism, Kirant (3.6%)
	Parbatiya castes (jat) (38.4%)	Brahmin, Chhetri Dalit castes	Indo-Aryan (80.6%) Nepali (48.6%), Maithili, Bojpuri, Awadhi, Tharu	Hinduism (80.6%)
People of the plains (Madhesi) (28.5%)	Castes (jat) (19.5%)	Brahmin, Yadav, Kalawar, Dalit castes		
Others (5.3%)	Janajati (9%)	Tharu, Majhi, Danuwar		
	Others, including unspecified Janajati and dalits	Muslims, Sikhs, Marwaris	Other languages (Munda, Dravidian etc.)	Other religions (Islam (4.4%), Jain, Sikh, etc)

Source: Karka Gurung, *Nepali: Social Demography and Expressions* (New Era, Kathmandu 2000), *Trident and Thunderbolt: Cultural Dynamics in Nepalese Politics* (Social Science Baha, Kathmandu 2003a), *Social Demography of Nepal: Censuses 2001* (Himal Books, Kathmandu 2003b)

## HUMAN DEVELOPMENT BY CASTE/ETHNICITY

Human Development Indicators	Nepal	Brahmin	Chhetri	Newar	Hill ethnic groups	Madhesi	Dalti
Life expectancy	55.0	60.8	56.3	62.2	53.0	58.4	50.3
Adult Literacy (%)	36.72	58.00	42.00	54.80	35.20	27.50	23.80
Mean years of schooling 1996	2.254	4.647	2.786	2.370	2.021	1,700	1.228
Per capital income (NRs) 1996	7,673	9,921	7,744	11,953	6,607	6,911	4,940
Per capita PPP (US\$), 1996	1,186	1,533	1,197	1,848	1,021	1,068	764
Life Expectancy Index	0.500	0.597	0.522	0.620	0.467	0.557	0.422
Educational Attainment Index	0.295	0.490	0.342	0.462	0.280	0.221	0.186
Income Index	0.179	0.237	0.181	0.289	0.152	0.160	0.110
HDI	0.325	0.441	0.348	0.457	0.299	0.313	0.239
Ratio to national HDI	100.00	135.87	107.31	140.73	92.21	96.28	73.62

Source: Adapted from NESAC, *Nepal Human Development Report* (Nepal South Asian Centre (NESAC), Kathmandu 1998) and J.Gurung, promotion of sociocultural, Economic and Political Participation of Dalits and other Disadvantaged groups: A strategic Approach (Draft). (Submitted to the Enabling state programme (ESP, Kathmandu, 2002).

Note: Hill ethnic groups include only, Sherpa, Gurung, Magar, Raj and Limbu:  
 The *Madhesi* category includes Rajbanshi, Yadhy, Ahir and Tharu (an ethnic group);  
 The *Dalit* category includes Dalits from the hills and terai.

## INTEGRATED NATIONAL CASTE/ETHNIC INDEX OF GOVERNANCE, 1999

High level officials in:	Bahun/ Chhetri	Newar	Hill Ethnic Groups	Madhesi	Dalit	Others	Total
Judiciary	190 80.85%	33 14.04%	3 1.28%	9 3.30%	0 0	0 0	235
Constitutional Body and Commission	181 77.02%	32 13.62%	4 1.70%	18 7.66%	0 0	0 0	235
Council of Ministers	14 56%	6 24%	2 8%	3 12%	0 0	0 0	25
Public Administration	20 62.50%	3 9.38%	4 12.50%	5 15.63%	0 0	0 0	32
Legislature	159 60%	20 7.55%	36 13.58%	46 17.36%	4 <sup>a</sup> 1.51%	0 0	265
Political Parties	97 58.79%	18 10.91%	25 15.15%	26 15.76%	0 0	0 0	165
DDC President, Municipality Mayor, Vice-Mayor	106 55.50%	30 15.71%	23 12.04%	31 16.23%	0 0	0 0	191
Industry and Trade Sector	7 16.67%	20 47.62	0 0	15 35.71%	0 0	0 0	42
Education Sector	75 77.32%	11 11.34%	2 2.06%	7 7.22%	1 1.03%	1 1.03%	97
Cultural Sector	85 75.22%	22 19.47%	6 5.31%	0 0	0 0	0 0	113
Science and Technology	36 58.06%	18 29.03%	2 3.23%	6 18.75%	0 0	0 0	62
Civil Society Sector	41 66.13%	18 29.03%	1 1.61%	4 6.45%	0 0	0 0	62
<b>Total</b>	<b>1011</b>	<b>231</b>	<b>108</b>	<b>170</b>	<b>5</b>	<b>0</b>	<b>1520</b>
%	65.5	15.2	7.1	11.2	0.3	0	100
% of Nepal's Population	31.6	5.6	22.2 <sup>b</sup>	30.9	8.7 <sup>c</sup>	0.1	100
Difference (%)	+34.9	+9.6	-15.1	-19.7	-8.4	-1.0	

Source: G. Neupane, *Nepalko Jatiya Samasya. Samajik banot ra sajhedariko sambhavana.* (Caste/ethnic problems in Nepal. Social structure and the possibility of cooperation) (Center for Development studies, Kathmandu 2000) cited in J. Strategic Approach (Draft). (submitted to the Enabling State programme (ESP), Kathmandu, 2002).

Note: <sup>a</sup>Nominated members of the Upper House.

<sup>b</sup>Not inclusive of all janijatis <sup>c</sup>Includes hill Dalits only.