

**INSTITUTIONALISING DEMOCRACY: A STUDY of  
PARLIAMENTARY INSTITUTION in NEPAL, 1990 - 2002**

**A Dissertation**

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**By**

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## RECOMMENDATION

It is to appraise that Mr. Gehendra Lal Malla, Ph.D. Scholar, has completed his final work of improving and polishing his Ph.D. Dissertation, titled "**Institutionalising Democracy : A Study of Parliamentary Institution in Nepal, 1990 - 2002.**" In his final bid, he, under our supervision and guidance, incorporated all the suggestions, recommendations and required changes in line with the comments and suggestions made by the experts and raised during the defense of thesis. We hereby recommend this Ph.D. Dissertation for final approval and necessary official undertakings in the process of awarding the degree to Mr. Malla.

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Prof. Dr. Ram Kumar Dahal,

Supervisor,

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Prof. Krishna Prasad Khanal,

Expert,

Date:-



## **APPROVAL LETTER**

This dissertation entitled "**Institutionalising Democracy: A Study of Parliamentary Institution in Nepal, 1990 - 2002**" was submitted by Mr. Gehendra Lal Malla, for final examination to the Research Committee of the Faculty of Humanities and Social Sciences, Tribhuvan University, in fulfilment of the requirements for the Degree of DOCTOR OF PHILOSOPHY in POLITICAL SCIENCE, I hereby certify that the Research Committee of the Faculty has found this dissertation satisfactory in scope and quality and has therefore accepted for the degree.

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Prof. Nav Raj Kanel, PhD

Dean, and Chairman

Research Committee

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Tribhuvan University, Nepal

Date:

## DECLARATION

I hereby declare that this Ph.D. dissertation entitled "**Institutionalising Democracy: A Study of Parliamentary Institution in Nepal, 1990 - 2002**" submitted by me to the Office of the Dean, Faculty of Humanities and Social Sciences, Tribhuvan University (TU), is an entirely original work prepared under the supervision of my supervisor. I have made due acknowledgements to all ideas and information borrowed from different sources in the course of writing this dissertation. The results presented in this dissertation have not ever been presented or submitted anywhere else for the award of any degree or for any other purpose. No part of the contents of this dissertation has ever been published in the form or a part of any book. I am solely responsible if any evidence is found against my declaration.

Gehendra Lal Malla  
Kathmandu, Nepal  
December 2010

## **ACKNOWLEDGEMENT**

Establishment of sustainable democracy has been an issue of intriguing political agenda for Nepal. Over the time, it got occasional opportunities of its introduction and restoration but not with lasting effect. However, on occasions the parties which struggled for it themselves were not found serious about its sustainability. As of this, the sustainability of democracy became a matter of constant concern. Nepal's such a political predicament only could be addressed through the insitutionalisation of democracy in the country with parliamentary institution. Keeping this in mind, the present researcher has tried to find out the issues and the means to address those impediments that may help to make democracy sustainable.

In having such ideas, relating to the completion of the present thesis, my former principal supervisor Prof. Dr. Lok Raj Baral and co-guides Prof. Dr. Ram Kumar Dahal (later principal Supervisor as per the University's decision after former's unavailability) and Prof. Krishna Prasad Khanal's inputs and advices helped lot to bring this thesis in the present form. All above supervisors' and co-guides' input, support and encouragement caused instrumental in accomplishing the task in present shape. I feel indebted to them for their guidance. My sincere appreciation also goes to Mr. Surya Kiran Gurung, Secretary General, and other staff of Parliament Secretariat for their permission to use the Secretariat Library. I must admit that their help relating to providing me to have access to documents to useful information concerning my study was of great help. Last but not the least, I would also like to express my sincere gratitude to Prof. Aishwarya Lal Pradhanang and Prof. Dhruva Kumar for their painstaking assistance to improve the language and content parts of the thesis as raised by the external examiner, experts.

Gehendra Lal Malla

Date: Dec. 1, 2010

## ABSTRACT

In the modern governance system, democracy gets wider applause for the reason it functions and grows on the choice of the most. Similarly, democratization provides a basis of availing wider opportunities to all. And, its lasting momentum depends on the support of general public that provides it required legitimacy as the political order to function effectively. Growth of such an order as the form of a political system helps it to institutionalize the practices and institutions evolved for its continued functioning. Such a process of institutionalized growth helps the democratic system to take a deep root to function in a sustainable manner.

While reviewing the theoretical aspects of institutionalization we need to ponder on the ideas of political scholars. Various connotations but of almost the same theme have been referred and used by the scholars to put the term institutionalization into a broader conceptual perspective. It is, to Huntington, a “process” that helps “organisation or procedure acquire *value* and stability”. Likewise, Hurton & Hunt referred it to the entrenchment of certain norms of behaviour to attain "common values" with the "common procedures" by pursuing the "standardized behavioural patterns". To Degnabol-Martinussen it encompasses the meaning of "institutional patterns or arrangements" that includes "formal arrangements and informal norms, customs, conventions and standard operating practices" for the "broader institutional arrangements". Uphoff refers institution building as a process that is basically related with the "introduction and establishment of organisations" that on its part "induce changes" with the "belief and action within a society". Goodin & Klingemann specifies it with “rule of the game” that determines the behaviour directly related with the organisation and its members’. Theoretically, it does not allow to any to behave in a "taken for granted" manner and always expects the concerned to follow the set of "standard operating procedures", which are "... agreed upon and hitherto followed by the agents involved". Maurice Duverger deals it with “internal and external practices’ of any system to function. Moreover, Panebianco stressfully put forth the idea of “systemness” of any process which solidifies the system and provides the “source of legitimacy” that deals with “limited freedom of autonomy’ but evidently discards the “higher degree of maneuverability”.

Nepal’s struggle for the multi-party parliamentary democracy has always been facing a crunch for stability and permanence from the day it has been introduced, so, its sustainability is always in question. If Nepal’s challenge of threat to democratic sustainability is to be

addressed the political parties, leaders and other concerned have to pursue for its institutionalisation.

The political elites of Nepal often connotes democracy to parliamentary form of governance with multi-party in nature but the challenges it faced since its inception made them feel imperative to institutionalise it by pursuing required gravity and practices of parliamentary nature. In this connection, Copeland and Patterson's concept about democracy with parliamentary nature seems pertinent in Nepalese context which mentions "... a group of individuals operating on behalf of other in a binding and legitimate manner". In the given situation, no matter the future of Nepal's political system will be identified by what, and which system may be adopted in whatever form (presidential or parliamentary or hi-breed) it needs to adopt parliamentary nature of decision making – decision by debate - executive to be answerable to elected legislature. The experience had so far been shown that the political milieu of Nepal persistently possesses a notion built by the familiarity of its practices as carried out democratic movements, which was followed by practices to correct the aberrations committed so far. Whatever may be Nepal's future political system but its governance system needs to create an environment within which people live a life with human dignity having individual freedom as well as enjoys personal liberties in determining the structure of a well ordered regime. Nepal's march towards democracy could be seen with the resemblance of the phases of country's nation building process as initiated for governance by gaining public mandate. Upon this reality the multi party parliamentary democracy is reinstalled in 1990. But the political situation was marred with political instability. However, the accession of the more than a dozen of governments within the similar number of years (1990-2002, first takeover of King Gyanendra), reflects it. The frequent changes of governments were all done through applying parliamentary practices and within the constitutional norms but only to lead its institutionalisation process to held-up. The inter and intra party rifts seen among the parties lead to prove mockery of democracy to the dismay of the people in favour of liberal values of the polity that gives them a sense of power-sharing.

Nepal since the beginning of its history as nation is facing the unresolved issue of power sharing among the political actors; king, ruling aristocracies, people represented by the political parties, dissident rebels/ insurgents, etc. In Nepal, Parliament – the symbol of modern political institution representing the people and creating an impression of power-sharing to them is marred by the petty interests of the political institutions and its leaders. Nepal has the experience of expediting political institutionlisation of parliamentary institutions directly through the revolution but not by evolution. To make this goal attained, the political leader also needs to be proactive instead of only being reactive to the causes of the people. It has



been seen during the second experiment (post-1990) of parliamentary system that the political leaders in most of the cases rarely take any preemptive decision/ action before the public rise up. On the other, people of Nepal also to be made of responding in a behaviour of following vigilant citizenry and make them able to behave in the pattern of “participant culture”.

Contrary to the British experience of institutionalizing its political process (institutions), it is experienced that the evolution of Nepal’s experiment to democratic order is very much based in revolutionary type of politics of movement. In both the cases the situation is found different in the matters of stability, growth and progress of the political institutions. A change through evolution is found to be sustaining to have progressive outlook and remained development oriented but the changes brought through revolution are different and difficult to retain in the society like ours, where unpredictable political dynamics create situations to crop up neutralizing the former. In order to check such adverse effect on democracy institutionanlisation of parliamentary system will prove only the real vanguard in Nepal, because it replaces a tendency of "spontaneous or experimental behaviours” being often practiced “with behaviour which is expected, patterned, regular, and predictable”.

The process of institutionalization could be achieved through following measures (Suggestions):

- Adherence to the concept of Pluralism and Rule of Law.
- Pursue Participant Culture for evolving effective Civility.
- Develop a tendency of habitual following of peaceful means for the resolution of problems being encountered.
- Parliament should be taken as the Apex national Organ for Policy Formulation and Lawmaking acts.
- Need of looking forward to Progressive Measures both at Political and Economic Fronts.
- Need of Democratic education to masses as the part of political training that deals with the process & spirit of democracy.
- Need to comply with the spirit of rule of the game and institutionalize culture of participation.
- Political Parties required to remain United and pursue Coherent Strategy to lead the people.

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## ACRONYM

CA	Constituent Assembly
CPA	Comprehensive Peace Agreement
CPN (D)	Communist Party of Nepal (Democratic)
CPN – M	Communist Party Of Nepal (Maoist) {Later turned UCPN (Maoist)}
CPN (ML)	Communist Party Of Nepal (Marxist-Leninist)
CPN UML	Communist Party of Nepal (Unified Marxist & Leninist)
HOR	House of Representatives (Pratinidhi Sabha)
NA	National Assembly (Rashtriya Sabha)
NC	Nepali Congress
NC (D)	Nepali Congress (Democratic)
NSP	Nepal Sadbhavana Party
NWPP	Nepal Workers & Peasants' Party
PFN	Peoples' Front Nepal
PM	Prime Minister
RPP	Rashtriya Prajatantra Party
SPA	Seven Party Alliance
UPFN	United People's Front Nepal