

# ISAS Brief

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## **Nepal Constituent Assembly Elections: The Dawn of a New Era?**

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The historic elections for a Constituent Assembly in Nepal are finally over, with 60 percent voter turnout but a fair amount of violence. Nepalese voted for the first time in nine years on 10 April 2008 to choose a 601-member special Assembly. There were 74 political parties, including one with all women candidates and another formed by a former Japanese national. There were 17.5 million voters and over 80,000 observers, alongside high-profile individuals such as former United States President, Jimmy Carter, and the son of former Japanese Prime Minister, Ryutaro Hashimoto. The new Assembly is expected to draft a new Constitution for the country and abolish the Hindu monarchy. The monarchy has ruled the complex Nepali state, comprising 22 different principalities of various ethnic groups, for 239 years.

The elections were the culmination of a 2006 peace deal with Maoist guerrillas to end a decade-long civil war. However, violence marred the run-up to the polls with a series of bomb blasts, abductions and disturbances. The Election Commission confirmed that several people were killed, including two candidates, and polls were postponed in more than 100 booths. The killing of seven Maoists cadres in the Dang district just one day prior to polls nearly sparked off a massive protest by the Maoists but was assuaged by the Chairman of the Maoist Party, Comrade Prachanda.

Based on available information on the polls, the Maoists are heading towards an absolute majority, leaving the other parties far behind. The other two mainstream parties, the Nepali Congress (NC) and the United Marxist Leninist (UML) are expected to suffer massive losses at the elections, having had their vote banks considerably eroded over the years. Of the 601 assembly members, 240 will be elected directly and 335 through a proportional electoral system, a complicated procedure for Nepal's nascent democratic system. The remaining 26 members will be nominated by the Prime Minister.

The Maoists are well ahead not only in the direct elections but also in proportional voting where they have secured 32.41 percent of the total votes counted thus far. As of 16 April 2008, they have already secured 119 seats in the direct elections, whereas the NC has only 33 seats and the UML has 30.

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The biggest loser in the elections is the NC which has never been so weak in its entire history. The results have been a big blow personally to Prime Minister Koirala whose entire family fared badly at the polls. His daughter Sujata, nephew Shekhar, cousin Sushil and close confidante Mahesh Acharya were well beaten at the polls. His Home Minister, Krishna Prasad Sitaula, also lost in his home constituency in Jhapa district.

Similarly, for the UML, the election results came as a huge surprise and shock. Its powerful General Secretary, Madhav Kumar Nepal, lost in both his constituencies while party stalwarts such as Education Minister, Pradip Nepal, and former Foreign Minister, K. P. Oli, were also routed.

Another major significant outcome of the polls was the poor show of the parties based in the Terai (southern plains), mainly the Madheshi Janadhikar Forum (MJF) and Tarai-Madhes Democratic Party, which did not bagged as many seats as expected. Initially, analysts had hoped that these parties would emerge as king-makers in case of a hung parliament. Most certainly, Nepal will officially become a republic once the first sitting of the Constituent Assembly votes against the institution of monarchy.

These have been landmark elections not only because they addressed a 57-year old promise of letting the people draft their own Constitution but also because there were more women, representatives from the Terai region, who were hitherto excluded from the upper echelons of government, as well as former Maoist guerrillas. The real challenge for Nepal will be the post-elections period and how the new leaders, the United Nations and the international community will handle the intricate constitution making process with such a large number of members coming from a diverse range of socially-disadvantaged communities.

All parties, including the armed groups in the Terai, will need to work closely with the interim government and with one another to ensure a smooth transition to the new legislature and government. The MJF will be watching events unfold from the sidelines. The MJF spearheaded a bloody uprising of the Terai people last year that led to the killing of more than 70 people. It had, earlier, described the elections as a historic opportunity for the Nepali people to consolidate the peace process and to create a more democratic and inclusive future for their country. The leader of the MJF, Upendra Yadav, contested and won against the Prime Minister's daughter.

These elections will expose the tensions amongst Nepal's ethnic communities vying for partial to complete autonomy, the most notable in the Terai where the Madhesi community is clamouring for power. Although, the Terai parties were not able to muster seats even in the Terai districts, the interim legislature has agreed on a federal system of governance. However, Nepal's interim Constitution has not elaborated on the type of federal structure the country will have. This is likely to be a very sensitive issue for the Constituent Assembly.

The new government will also need to look at security sector reforms, the key issues being the integration of the former Maoist guerrillas. It is likely that the Maoists would want to be included into the Nepal army, a proposition the Chief of the Army Staff, General Rukmangud Katuwal, had vehemently and publicly opposed in the past. However, with the Maoists emerging to be the duly elected and legitimate government, General Katuwal will have to obey the orders of his political masters.

Another challenge, albeit not a major one, is the issue of a 'secular state' declared by the interim parliament. However, Hindu groups in Nepal and in north India have questioned this. Eighty percent of the population of the country is Hindu and there has been some tension between the majority Hindus and the minority Muslims recently, including one episode of a bomb blast at a mosque in Biratnagar town in southern Nepal.

Furthermore, during the last one month, Kathmandu witnessed protests almost on a daily basis by Tibetan refugees who have been living in Nepal from the 1950s. An incident of vandalism at the consular section of the Chinese Embassy led to the Chinese Ambassador in Nepal meeting Prime Minister Koirala and demanding security for his embassy along with a more effective curb on anti-China protests. At the same time, the Nepal government has come under condemnation from across the globe for being too harsh on Tibetan protesters, including one international media calling Nepal police a proxy of its Chinese counterpart. Nepal has inadvertently become a frontline state in the Tibetan issue.

Nepal's economy is also in dire straits. Besides being in depression, the country suffers from a shattered infrastructure. The country also has a high rate of unemployment, with about one third of Nepalese living on less than US\$1 a day. The Constituent Assembly elections have provided the opportunity for change and development in Nepal. However, the new government has the unenviable task of managing a highly sensitive and volatile political system, as well as a rebuilding the economy. It will need the support of the key political players to turn the country around. Only then can the people of Nepal truly witness a dawn of a new era in their country.

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