

Next Door Nepal: A storm in the making

It took more than five months and three phases - the last one was on September 18 - for the local bodies elections to be concluded. Major parties have hailed it as a big step towards implementation of the constitution promulgated two years ago. Provincial and parliament elections are due in mid-December and key political parties have started making claims about securing majorities and forming governments. They seem least mindful of the challenges the whole process is likely to face in the coming weeks.

As per the constitution, the current parliament will cease to exist on October 22, a day before the nomination process is set to begin. Any obstruction or derailment of the process will force a serious constitutional breakdown. The constitution has no remedies for such a breakdown. The government routinely defies constitutional bodies. In the absence of a parliament, the fear is that transgression by the government will increase.

The ruling coalition, comprising the Nepali Congress and the Communist Party of Nepal (Maoist Centre), are already at loggerheads with the Election Commission over the cabinet expansion when the local bodies elections were on. The EC has described it a violation of the code of conduct; the government has refused to respond. Moreover, the size of the council of ministers is now 56, while the constitution prescribes a ceiling of 25.

The government had proposed providing life-long pension to parliamentarians, but dropped the idea due to public pressure. However, it decided to grant every MP a constituency development fund of Rs 35 million. The code of conduct prohibits development works with state funds when the election process is on. However, the three major parties - Nepali Congress, CPN (Maoist Centre) and the main opposition party, the Communist Party of Nepal-Unified Marxist Leninist - that control parliament are frequently accused of appropriating state funds.

All three are perceived as corrupt and blamed for the current mess in the country. The political spectrum's disregard of the code of conduct and the EC has attracted huge criticism. "The government has been interfering in the functioning of the Commission," says former chief election commissioner, Surya Prasad Shrestha.

The EC, though filled with nominees of the three big parties, has now mustered courage to warn the government and political parties about code violations and other improprieties. Clearly, the public sentiment against what has come to be known as "syndicate politics" has emboldened the EC.

K.P. Oli, a claimant for the chief executive's post if CPN-UML gets the majority in parliament, is reputed to be the smartest politician among the present lot with a knack to sense public sentiment. As public anger began to rise against corruption, he was the first to speak out. "Let Goddess Durga give enough strength to the Supreme Court to remain fair and impartial," he said, alluding to the allegation that partisan politics and money are corrupting the justice system.

The truth is Oli and CPN-UML - and the CPN-Maoist Centre and Nepali Congress - are responsible for introducing partisan politics in the appointment of judges. He and CPN-UML supported the idea of having a sitting chief justice (Khilraj Regmi) as the prime minister and representatives of four key parties as ministers under him in 2012. Public fury against the judiciary is also an indicator that people want the anti-corruption constitutional body and the election commission to act tough. Last week, the cabinet was forced to dismiss the executive director of the state-owned Nepal Oil Corporation, Gopal Khadka, for corruption.

Without a parliament in place, the members of constitutional bodies can take action against corrupt politicians without the fear of impeachment. However, they may still hold back since most of them have been appointed to these bodies under quotas ascribed to political parties. Inaction by the EC, judiciary and the anti-graft commission against political corruption may further erode the peoples' trust in the capacity of state bodies to be fair in their conduct.

The rising tide of public anger against corruption may upset the political applecart. Someone like K.C. [Govinda](#), a public-spirited doctor who will sit on an indefinite fast against corruption, his 12th in the last six years, could become a catalyst in turning the public against the present political establishment. A retired brigadier general ominously said at a seminar recently that thousands of retired soldiers have an obligation towards the nation and are ready to march to restore order. The unresponsive political establishment could find the constitutional process derailed by the masses if they refuse to recognise the growing public sentiment.

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