

Book Reviews

Lok Raj Baral, ed. 2005. *Election and Governance in Nepal*. New Delhi: Manohar.

The book under review is a product of a workshop organized by the Nepal Centre for Contemporary Studies and survey research activity that accompanied it. It combines an introduction with five other chapters by separate authors.

The introductory chapter, by the editor Lok Raj Baral, gives a rundown of Nepali political history from the end of the Rana regime up to the period of multiparty democracy. Focusing on the period since 1990 the chapter considers the importance and utility of elections (acknowledging their contributions) before pointing out the problems that have besieged political practice. While the results of the three general elections gave reason to believe their fairness, those of the two local level elections showed the opposite as they overwhelmingly favored the parties in power. The author argues that while elections have changed elites, they have not changed the culture or quality of institutions. Democratic periods in the history of the country have been short-lived.

The author objects to the fact that during the period of multiparty democracy the major parties have flip-flopped in their ideologies and policies, making no secret of their quest for power. The list of criticisms is long, including the inability of the parties in power to hold the majority they received, instability, intra-party feuds, and personal clashes between senior leaders; unreasonable demands, extra- or un-parliamentary methods; and pressure tactics of the opposition. Pursuing democracy as an electoral mechanism, but without internalizing and living out a democratic spirit, has created distortions and decay. Participation is not genuine and centralization has been reinforced. The positive aspect of the democratic exercise is that freedom and openness have given space for free public debates. The author also concedes certain incremental achievements within the context of practical constraints. This connects to the Maoists as they, in contrast, advocate untenable radicalism, but nonetheless have carried a positive message of change.

The author suggests that elections, government, and governance are interwoven like a web. Elections give legitimacy to government, a government should uphold certain requisites to attain governance (which

implies efficient governance), and a government that fails to attain this governance through neglect of these requisites is not legitimate.

Political development is in fact the theme of the first chapter, entitled "Democracy and Elections," written by the editor himself. The title is not a good representation of the chapter because the topic of elections is only one of the chapter's many sub themes. With a brief survey of political development theories, the author makes the point that contextualized country-specific frameworks are important, though more generalized theories should also not be lost sight of. Therefore, political development in our context is a hybrid concept between the original formulation in the developed countries and our own ground realities. It is shaped as much by socio-cultural, ideological, geopolitical, and numerous other variables as by universalistic ideas and theories. Pointing out legal and performance legitimacy as the key contemporary political development issues, the author also throws up multiple sets of prerequisites.

Baral includes some public opinion data containing the variables of democracy and elections according to which the position of elections as a component of democracy ranks low in public opinion. But the author takes no account of this. Most of the respondents associated elections with rights of the people. Freedom was rated as the greatest achievement of democracy. Corruption, insecurity and unemployment were regarded as principal problems in democracy. People recommended good governance as a way of consolidating democracy.

Baral describes state, nation, and democracy as historically intertwined strands with democracy joining as the late comer. It has bred domination, exclusion, and subsequent dissatisfaction. The author makes the case for pluralism and inclusion through democracy. He shows a paradox of Nepali history that though the nation in some form predated the state, nationhood is, in a way, non-existent due to exclusion. The author analyses the composition of the parliament. As before, the prevalence of a certain caste group continues in the post-1990 period, with Brahmins now replacing Chhetris. Gender wise, the parliament has far too few women.

Baral also provides a historical account and analysis of elections and parliamentary practice. The Government of Nepal Act of 1948 envisioned a unicameral, non-partisan legislature, but this idea was aborted. However, there were some experiments with elections at the local level. The political uncertainties that followed made general elections possible only in 1959. The Nepali Congress party took only 37.2 percent of the vote but took more than two-thirds of the seats in the winner-takes-all

system. In the three general elections of the post-1990 period too, the winners were able to claim greater power than their actual percentage of votes received would justify. Initially Baral disapproves of this practice but soon it is being cited as normal procedure in established democracies. Although pointing out maladies is the main topic of the chapter, the author does point out patterns (such as how the NC and UML were established as the largest parties, with the RPP following quite far behind) and makes some projections (such as how the entry of the Maoists into the electoral process may erode the UML base while the NC base is projected to be stable due to absence of non-left alternatives, with the RPP facing "psychological and symbolic difficulties"). "Used more as a political ladder rather than an opportunity for correcting systemic aberrations, the election is used for recycling of elites of upper caste and class backgrounds" (p.42). Baral points out some woes of election practices such as ascriptive-based rather than achievement-based norms in election nominations, and the mushrooming of political parties on the eve of elections. Paradoxes in parliamentary practice are shown by instances such as the nomination of ten members of the Upper House, controversies over the dissolution of parliament, controversy surrounding the ratification of the Mahakali treaty, the Citizenship Bill of 2000, the stalling of the parliament by the opposition, demanding the majority-commanding-government's resignation, etc. Innovative trends are lacking and there is a tendency to avoid the parliamentary route. Nevertheless, elections have an integrating effect and create enthusiasm among the voting public.

Baral dwells on a wide range of topics, though they often appear to digress from the focus or theme of the chapter. For example, he also describes the roles of NGOs and the media at length. In describing national political events in Nepal, he sometimes compares them with India, and sometimes measures them against an idea of political development that appears abstract and without benchmarks.

Chapter two, "Election Management" by Ram Kumar Dahal, deals first with the concept of electoral systems, explaining elections in relation to people and democracy, and then goes on to explain election systems, though the discussion is not comprehensive and has some factual errors. It then outlines the electoral system as used in Nepal. The next section tries to explain the phases of election management before, during, and after elections. But it ends up focusing only on the before and during stages (basing its discussion largely on information from the Election Commission) and says almost nothing about the after stage. The chapter

also deals with legal provisions and the functions of the Election Commission and Election Constituency Delimitation Commission. While some steps of election management are explained with details on local provisions, functions, and technical and logistical aspects, others aspects go unmentioned. It would have been better if the author had referred to the election cycle, well known in election process studies, to help keep track of the processes and steps involved.

Among those studied, people who did not vote gave non-registration of their names, physical distance, and not getting voter identity cards as reasons for not being able to vote. Though we cannot generalize from the 66 responses collected here, these are some of the problems of elections that the study brings up. In the 1999 election one-fourth of the people believed the process had been manipulated, mostly by proxy-voting, followed by underage voting, the use of force and violence, etc. The respondents are disaggregated into categories like rural and urban residents, different age groups, occupation groups and though it is actually their perceptions of the practices of manipulation, the author states that those practices were higher among them. This is misleading. As in the previous chapter, terms like sample and universe are confused, though this chapter and the whole book makes the study of samples an important part. The word sample is used in research methodology for a small quantity that represents the whole, which is called universe or population. It is apparent that a part of the population is studied here without knowledge of sampling theory. To cite another example of the wrong use of quantitative data, it is stated here that 86.6 percent of the respondents voted in the 1999 election, while the actual voter turnout according to Election Commission records is 65.69 percent. This shows the study's sample is not representative of the whole (Nepal's voting age population). As such, the author should explain why he is using an unrepresentative sample. The bottom line is that the chapter's use of survey data is questionable.

One useful piece of information from the questionnaire survey is that sizeable amounts of money is spent on distributing money and materials, even trinkets, during elections. The legal and administrative provisions and Dahal's personal impressions are the more readable sections of the chapter.

Dahal also explains that the government has intervened in elections, especially local elections, through CDOs and the police. There are instances of people in government using resources for elections for their own partisan ends. The election code of conduct attempts to control such

practices. There have also been calls sometimes for a more neutral caretaker government for election, as in Bangladesh. The chapter also deals with security management. Challenges and problems of elections include impartiality, adequate legal provisions, identification of votes, booth management, implementation of the code of conduct, security and order, monitoring, and observation of elections.

The third chapter, "Election and Governance" by Krishna P. Khanal, starts by highlighting the problem of governance in the country. 98.8 percent of the respondents to the survey pointed to the necessity of good governance for the consolidation of democracy. Its absence renders elections and democratic provisions futile. The definition of governance used is a broad one, meaning democracy and even political process. Elections have been considered a part of governance. This may not agree with other definitions of governance that are more specific. Believing the definition "to create an order, a ruling among the populace in a given political society" to be confining and conventional, Khanal brings people, market, and development into the ambit of governance. He relates elections with three major principles of a democratic polity – representation, legitimacy, and consent to govern.

In an overview of the structures of governance, Khanal comments on the structures of government and practices – malpractices such as the assertion of power or the obstinance of the king and army toward the prime minister, executive instability and the inability to command, and politicking by parliamentary committees. The opinion survey found approval of the central government and some outcomes of the democratic exercise to be low. Most of the people surveyed think that members of parliament should concentrate on developing their areas rather than their national level legislative functions. The author traces the cause of this attitude to the kinds of election campaigns and commitments made.

Khanal also describes the bureaucracy as still patrimonial and parochial, and now more politicized. It is non responsive and inefficient in functioning despite some attempts to reform it. According to Khanal, "People rate the performance of police and administration at local level very low" (p.132). Centralized party structures and strict polarization of society along party lines have become "impediments to the effective implementation of the schemes related to decentralization and local governance" (p.135). The judiciary protects human rights, conducts judicial review, and administers justice. Justice is delayed, and there are irregularities, corruption, and the judiciary lacks accountability. The

author comments on cases of judicial review, and looks at civil society as it relates to governance.

Problematic issues of governance have been pointed out as election practices, executive instability, leadership, corruption, opposition methods, disrupting normal life, and the insurgency. Khanal's chapter is basically on governance and not on elections and governance. A bias in favor of the executive as opposed to the legislative, or towards a particular government, is sometimes sensed in the chapter.

Chapter four, "Political Parties and Elections" by Krishna Hachhethu, begins with an interesting analogy between elections and marriage ceremonies suggesting that both tie legitimacy with obligation. Elections marry parties with people, or representatives with voters. "Elections provide a channel of communication between the mass of society and political parties" (p.156). Elections bring together political processes of participation, mobilization, aggregation of demands, and socialization as well as having multiple positive impacts that consolidate democracy.

The chapter first gives a primer on political parties and public perceptions toward them. People are generally positive towards the parties—as they have historically been associated with positive changes in society—but not towards their leaders. It also analyzes political parties in terms of ideological topography. Ideological divergence among major parties is constantly thinning. The chapter also classifies parties according to their commitment to multiparty democracy and representation in parliament. Hachhethu observes a gradual precedence of pragmatism over ideology and says this has both positive and negative impacts, but does not say what these are.

Hachhethu inconsistently attributes the reasons for those results of the elections to the exercise of the people's judgment, to the influences of incumbency, and to party divisions. What is also not analyzed, but should have been, are the changes in popular voting patterns from one election to the next. Two-party dominance has been observed as the trend taking the second election result among the three as an exception, and this generalization has been extended to the entire subcontinent, thereby ignoring the emergence of regional parties in India. The multiple splits within, and faces of, the communist parties seem to have confused the author as well. The United People's Front is said to be a front organization for the CPN (Mashal) and the National People's Front of the CPN (Unity Centre). Actually, Mashal was part of the Unity Centre and UPF was its front, while NPF was the front of Masal.

Hachhethu deals extensively with nomination processes in different parties for candidature, internal disputes, and alignments in elections, and has garnered valuable information on these topics. Equally revealing is his analysis of ideological planks, policies and programs, and campaign methods of the political parties, both across parties and across different elections. The data presented shows how voters have prioritized their expectations. People perceive a yawning gap between the promises made during elections and the delivery on those promises later. They feel that once elected, their leaders forget them. Political parties have therefore not been able to foster responsiveness, a key element of democracy, through elections.

The fifth and last chapter, "Social Structure and Voting Behavior" by Dhruva Kumar, explains the hierarchical nature of the Nepalese society—*Thalus/Mukhias/Hune Khane* and the rest, the caste system, the rulers, and the *Raiti/Praja*. The author discusses different facets of Nepali society: how political class and education were exclusive till not long ago; how Brahmins, Chhetris, and Newars have traditionally dominated politics (and still do); how social hierarchies were codified by the *Manusmriti*, the *Dibya Upadesh*, and the *Muluki Ain*; and how these systems of hierarchy and patronage have continued through history even into the present system of democracy.

Kumar's chapter largely rambles on, offering scattered observations and election data. Some important observations include how the sharp difference between the two local level elections show that the party in power influences results and that the commitment of the national electorate is unstable. The author points to the growing ethnicization of politics in Nepal and how this trend stands against extant election rules. A recurring theme is that some groups dominate the political scene. This leads to the inference that Nepal is "constitutionally framed to deny the right to represent the nationalities that are numerically in a majority but treated as national minorities" (p.211). Voters, though free to choose, can choose only those options imposed from above.

The author draws several conclusions from the election results. These include: how, through overwhelming turnouts, voters have rejected radical alternatives to democratic practices; how the desire for political stability and functional government is seen in the choice to elect centrists rather than the extremists, and how voters' dissatisfaction was expressed through alternation of representatives; how pluralism was preferred over sectarianism; how the commitment to democratic order continues despite

the fragility of the process; and how communalization is not the course on which we are heading.

Again, public opinion data have been fitted in—sometimes awkwardly. For instance, the participation of women in elected positions has been measured through what people think about it, rather than by what their actual number is. Otherwise, the information is revealing. One instance of incorrect information concerns voter turnout statistics. The author claims that Nepal's voter turnout is low compared to that "in most democracies [where] the percentage is as high as 90 percent and above and as low as 70 percent" (p.205). However, the fact is that many established democracies have much lower turnouts.

On the whole, the book is seminal both because of its comprehensiveness and because it is the only available book on the subject. The information and observed patterns are illuminating. Data on public opinion is also informative but the extent to which this data is representative of the whole population is questionable, and some of the authors do not seem confident with the data or in how to use it. Substitution in the parliament by newcomers through elections is a celebrated observation in the book, repeated across chapters. However, the appetite of readers of today to learn about election systems, to make an assumption, will not be satiated because the subject matter is different. The book remains up to date on elections given that there have been no elections since it was published. However, when one happens and with a different election system, another book will be urgent.

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