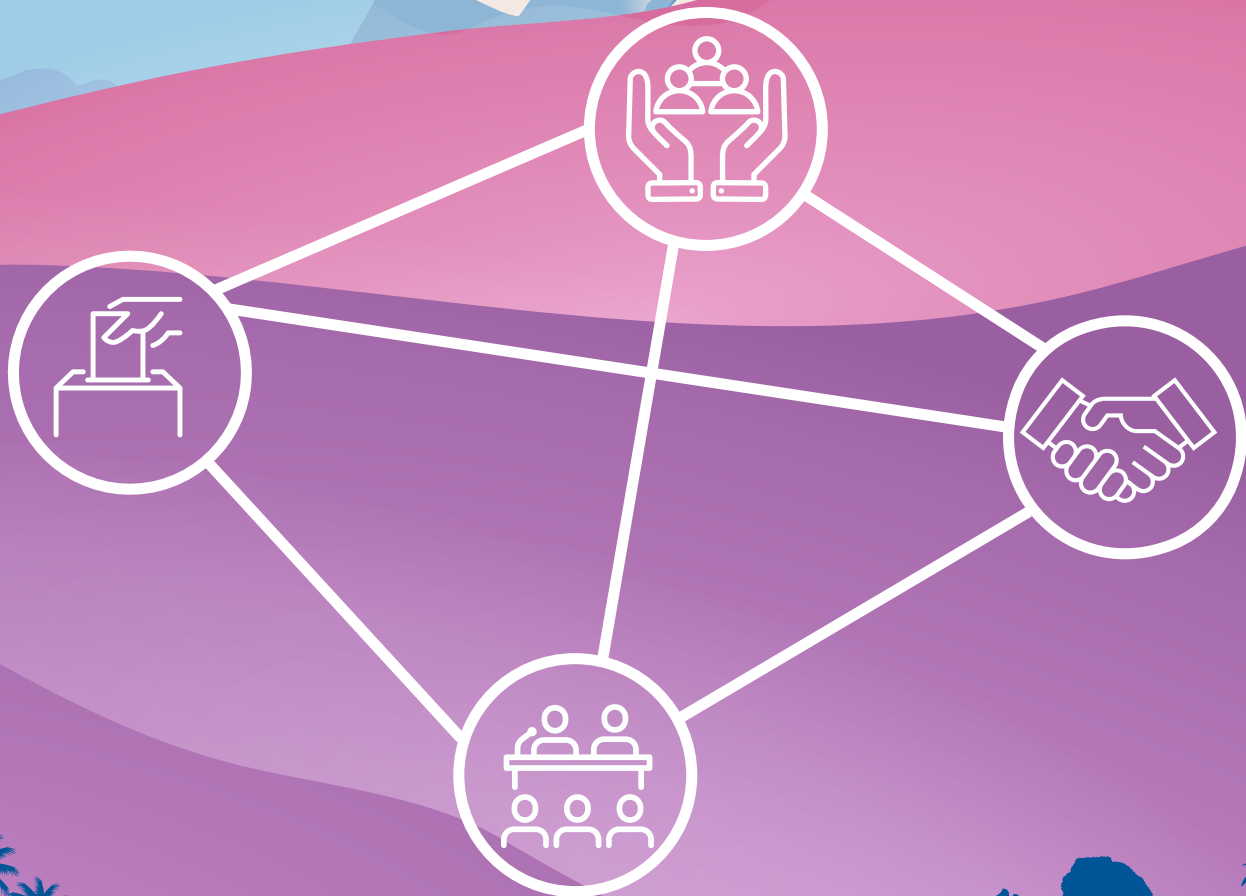


Prospects for Democratic Consolidation

Elite Circulation and Inclusion in Local Elections 2022

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Contents

Introduction..... 1

Elite Circulation 6

Power Equation 10

Conclusion 12

References 13

Annex 15

List of figures and tables

Table 1: Chiefs of governments 2017 and 2022 by caste/ethnicity	4
Table 2: Inequality among caste/ethnic groups.....	5
Table 3: Heads of local government, figure of re-candidacy and re-endorsements.....	7
Table 4: Heads of local government (2022) contribution by incumbent and new leaders	7
Table 5: Heads of local government of losses (from 2017) and gains (in 2022).....	8
Table 6: Results of local election 2017 and 2022 (mayor/chairperson) by political parties and provinces	10

Introduction

Nepal, in 2022, concluded its local elections for the 753 heads of the local governments. This was the second election after the promulgation of the constitution in 2015, with the first one held in 2017. Out of 753 heads of local governments (LGs) elected in 2017 – namely mayors of *nagarpalika* (municipality) and chairs of *gaunpalika* (village government) or rural municipalities – only 158 (21 per cent) were able to renew their popular mandate in the local elections held on 13 May 2022. Overall, this election upheld a track record of anti-incumbency voting, with 79 per cent of the incumbent LG mayors or chairs being thrown out. This paper examines the 2022 local elections from the perspective of anti-incumbency voting patterns and elite circulation. Furthermore, it explores the implication on three critical aspects of democratic consolidation in Nepal: inclusion, governance and the party system. The Nepali Congress (NC) has replaced the Communist Party of Nepal, Unified Marxist-Leninist (UML) as the largest party, with an increase of its representation in the leadership positions at the local governance level from 275¹ in 2017 to 329. Strength of the latter reduced from 294 in 2017 to 206 in 2022. Another example of anti-incumbency is an increase of the number of successful independent candidates contesting the top position in the local polls, from six in the past to 13 at present. Nevertheless, still more than 98 per cent of the newly elected LG heads represent one or another party, even though the victories of independent mayor candidates in Kathmandu metropolis, in Dharan sub-metropolis (a town in the eastern hills) and in Dhangadhi sub-metropolis (a city in the western part of the Terai lowlands of the country's south) were largely interpreted as a “warning bell” for the established traditional political parties, including by those parties themselves, NC in particular. These instances suggest that the 2022 local election is remarkable at least for its contribution to the circulation of elites – a healthy sign of democracy – at the grassroots level. Who are the new faces at the top post (mayors or chairs) of the local governments? They are: new leaders (79 per cent are newcomers); youngsters (141 are aged between 21 and 40 years); more women (up from 18 in

2017 to 25 in 2022), and more Dalits² (up from 6 in the past to 10). With this background in place, this paper tries to reflect on the following questions which might have consequences for the broader democratization process in Nepal.

- Did the 2022 local elections contribute or not to overcome structural exclusion?
- What would be the consequences if plebiscite legitimacy is not translated into performance legitimacy?
- How do we read the outcome of the 2022 local elections for a reformation of the party system in Nepal?

There may be some exceptions and few deviational stories, but a general rule of the elections, as postulated by an accountability approach, is that the prospects of re-election are high for an incumbent individual or party who has delivered services to constituents' satisfaction (Adderson, 1977; Powell, 2000). Otherwise, voters throw the non-performer out in the next elections. This increases the risk of treating elections from a power-gain approach (Panebianco, 1988). Nepali political parties are more widely power hungry than policy-oriented organizations (Hachhethu, 2022). This power-gain approach pays less attention to policy and obligation; it instead considers elections as a mean for parties and leaders to capture power and positions in the state apparatus. This may eventually lead to a deviation from the contract approach to elections (Uyangoda, 2001; Hachhethu, 2003; 2005; Hachhethu and others, 2015). This approach treats elections as a social contract based on mutual trust and confidence between voters and their representatives. Failure to honour this spirit can motivate the people to exercise their voting right to change those who govern them. This explicitly invites the use of elections as an instrument for the circulation of elites. A change of guard is primarily an outcome of the incumbents' non-performance or bad governance, to which the structural deficiency also contributes partly. The following section reviews briefly the structure of Nepal's new local governments from this perspective.

¹ The figure includes nine seats obtained by Madheshi Janadhikar Forum (Loktantrik), led by Vijaya Gachhedar, which merged into the NC in the aftermath of the 2017 local elections.

² Dalits are defined as “those communities who, by virtue of atrocities of caste based discrimination and untouchability, are most backward in social, economic, educational, political and religious fields, and are deprived of human dignity and social justice (Nepal Dalit Commission, 2018).

Structure of new local government

The transformation of Nepal from a unitary to a federal state was followed by a restructuring of its local governments as well, particularly with regards to size, composition and status. The number of local units was reduced drastically, from 3,347 to 753: 276 urban governments (of which 6 metropolises, 11 sub-metropolises, and 276 municipalities) and 460 village governments. This entailed the formation of new LGs with extended territory and larger populations, mixed in ethnic composition in many parts. Notwithstanding its negative implications both for governability – in terms of access to the offices of LGs (DRC, 2018; Bhatta and Bhusal, 2021) and inclusion (discussed in the following section) – the creation of large LGs is justified with the argument that smaller units could not cope with the extended powers of the new local governments under the three-tier federal system that Nepal has adopted (Local Level Restructuring Commission, 2016). In addition to concurrent power (with federal and provincial governments) on 15 items (Schedule 9), the new constitution vests an exclusive jurisdiction to the LG over 22 areas (Schedule 8). These include local-level development projects, school education, basic health and sanitation, local roads, agriculture and irrigation, protection of environment and water, management of cooperatives, and disaster management. Local governments also collect revenues such as wealth tax, house rent tax, land and building registration fees, vehicle tax, land tax, entertainment tax, tourism fees, and service charge.

With their apparently extended authority, the new LGs have been called mini *Singha Durbar* (Lion's Palace), a reference to the Kathmandu palace that houses several branches of national government. However, this is largely an exaggeration. At the outset, the legitimacy of the new constitution was challenged by both external and internal actors. Some Western countries and the United Nations (UN), in different tones and forms, expressed concern regarding the need for a broader ownership of the charter (Hachhethu, 2023) and India went to the extent of exerting visible coercion with the toleration of a border blockade. Internally, there was resistance from ethnic minorities: Janajati activists (activists with ethnic background) and organizations

expressed strong reservations on several provisions of the new constitution, particularly on the seven-provinces federal design (Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), 2016). Indeed, around the time of promulgation of the constitution in September 2015 and thereafter, discontent in the Terai was expressed to the extent of launching semi-violent protests and blocking the border with India for six months by the Madheshi parties – parties hailing from low land – including Madheshi Janadhikar Forum/ Nepal (MJFN), Nepal Sadbhawana Party (NSP) and Terai-Madhesh Loktantrik Party (TMLP). They even threatened to boycott the local elections if their demand for a constitution amendment was not met. Against this background and considering elections contribute to neutralizing the non-conformist forces and therefore widen the legitimacy of the newly introduced political system, the new local governments were projected as all-powerful new innovation equipped with enormous powers, including legislative and semi-judiciary powers. This was particularly emphasized at the occasion of the 2017 local polls, the first elections after the promulgation of the new constitution. Nevertheless, these powers have long been exercised in Nepal by the local authority. Of course, one difference with the new status of the LGs is that they previously, under unitary Nepal, exercised powers under the scheme of decentralization, but now do so in the framework of the division of power, a core attribute of the three-tier federal system. A provision of three-member judicial committees headed by the deputy chiefs is indeed remarkable for women's empowerment, since that post has been held by women leaders in most local governments. Besides, the deputy chiefs command the fiscal affairs of the local government. Furthermore, in absence of provisions for recall and no-confidence motion, the local government, unlike provincial and federal governments, is a rather stable institution.

The new local governments consist of the directly elected head and deputy head, chairs and members of ward committees, and indirectly elected members of its executive body. Its inclusivity is ensured by the constitutional provisions that reserve seats for three categories of marginalized groups: women, Dalits and minorities.³ But, from another perspective, it negatively contributes to the inclusion of ethnic minorities. Before delving into this aspect, this section throws some light

³ The constitution guarantees the election of two women ward committee members (including one Dalit woman) who become ex-officio members of the council (legislative body) of the concerned rural and urban governments. In addition, there are provisions to elect women (four in rural and five in municipality) and Dalit or tiny *minority* indirectly (two in rural and three in municipality) to the board (executive body) of the LG. The tiny minority, as defined by the Cabinet, is a caste/ethnic group (listed in census) whose population constitutes less than 50,000 of national population. Since the tiny minority is placed as an alternative to the Dalit it is not necessary that they (tiny minority) are elected. A study of seven LGs found that none of them gave an opportunity to the tiny minority while filling the seat reserved for Dalit or tiny minorities (The Asia Foundation, 2018).

on how inclusion, limited to the said three marginalized groups, is rather symbolic. The provision of mandatory representation of women and Dalits was appraised as a new innovation, while such provision was already there in composition of the former local governments under the previous unitary system. In the past, Janajatis were also included among the marginalized groups deserving nomination in both the legislative and executive bodies of the local governments. However, this is not the case anymore. The new progressive provisions also include gender balance in the candidacy of an individual party for the top two posts (chief and deputy chief) – but not for seats – and reservation of one Dalit woman among four ward committee members. Again, the point is that such inclusion provisions are practiced for subordinate positions and insignificant posts.

Among the top two executive posts, women have been placed mainly in secondary positions as deputy chiefs, 718 (95 per cent) in 2017, now reduced to 564 (75 per cent). Their representation in the number-one position of the local governments was only 18 (2.3 per cent) in the past, and has now marginally increased to 25 (3.3 per cent). Another executive post is ward chair, where the share of women in 2017 was just 61 (0.9 per cent) and has now only slightly increased to 69 (1 per cent). Similarly, the number of Dalits elected to strategic posts was negligible – just 6 (0.7 per cent) and 10 (1.3 per cent) among the chiefs of the local governments and 197 (2.9 per cent) and 148 (2.1 per cent) among the ward chairs in 2017 and 2022 respectively. However, there is a notable presence of marginal groups in legislative posts, i.e., ward members: 7,005 (25.9 per cent) and 7,174 (26.5 per cent) women (excluding Dalit quota) in 2017 and 2022 respectively, and 7,487 (27.7 per cent) Dalits in 2022 (including Dalit reserved seats). In executive posts (mayors/chairs and ward chairs) the state of inclusion is more cosmetic in nature. In absence of meaningful inclusion in the composition of the local governments, a regression is noticed at policy level as well. The new local governments have deviated from the standard established by a regulation of the former Local Self-Governance Act 1999, which required a 35 per cent budgetary allocation to a Targeted Group Development Programme. A study found that most of the new local governments allocated only 12-15 per cent of their respective budget on this vital sector (The Asia Foundation (TAF), 2018).

Does the circulation of elite brought out by the 2022 local elections promote ethnic inclusion? Again, there is a structural deficiency. One point that should be made clear is that the local governments are meant to foster the inclusion of marginalized groups, not ethnic minorities. From an ethnic perspective, the local government is not expected to be an inclusive body. This distinguishes local governments from federal and provincial parliaments whose members are elected and are formed through a mixed system of first-past-the-post (FPTP) and proportional representation system. The proportional representation seats are distributed on the basis of population size of constitutionally defined groups (Khas Arya, Janajati, Madheshi, Tharu, Muslim, Dalit and people residing in remote and lesser developed regions. The absence of proportional representation for election of the local governments has disadvantaged the non-dominant ethnic groups. There are also no reserved seats for the Janajatis and Madheshis in the new local governments. In absence of reserved seats for them, the Janajatis and Madheshis are placed in the same category as the Khas Arya, a dominant group of the country. As stated earlier, the local government are created as political constituencies with mixed ethnic settlement. The prospects of candidates belonging to a dominant community in elections is always high from the constituencies of ethnically mixed settlements. The chances for a candidate belonging to ethnic minorities to win elections are only high in constituencies of their native lands, provided that they remain the majority, or the largest single group. Now, with a new structure of 753 local governments, local political units with homogeneous settlements are largely confined to hills of the Karnali Province and Sudurpashchim Province (inhabited overwhelmingly by hill castes) and to interior parts of the Madhesh Province (inhabited by Madheshis as the dominant group). Elsewhere, ethnically homogeneous LGs are not to be found. Therefore, the structure of the new local governments with extended territory and larger population has contributed to the perpetuation of disproportionate political power in the hands of the Khas Arya even at the ground level. This trend has been proven by the results of the last two local elections.

Table 1: Chiefs of local governments 2017 and 2022 by caste/ethnicity

Caste/ Ethnicity	Population	Heads of LGs		Total	2022, in ratio of population
		2017	2022		
Khas Arya	31.3%	363 (48.2%)	366 (48.6%)	+3	+17.3%
Hill Janajati	27.3%	208 (27.6%)	211 (28.0%)	+3	+0.4%
Madheshi	27.5%	176 (23.3%)	166 (22.0%)	-10	-5.5%
Dalit	12.9%	6 (0.7%)	10 (1.3%)	+4	-11.6%
Total	100%	753 (100%)	753 (100%)		

Source: ECN (2018; 2022); Nepali, Ghale and Hachhethu (2018).

The Khas Aryas constitute one-third of the national population but they represent more than 48 per cent of the 753 elected heads of the local governments. This pattern follows in all provinces, except Koshi Province and Madhesh Province where the majority of local government leaders are from the hill Janajatis and Madheshis respectively. Indeed, overrepresentation of hill Janajatis in Koshi Province (40 per cent of total local government heads from this group) contributed to balance the number of local government heads in proportion to their population size at national level. This holds also true for the 2022 local elections. The Khas Aryas have a higher representation than their population to the extent that among the top post holders of the local government of the respective provinces, the Khas Aryas have majority of around or over 50 per cent in Bagmati Province, Gandaki Province and Lumbini Province, and indeed over 80 per cent in Karnali Province and Sudurpashchim Province. The result of the 2022 local elections largely upheld the trend emerging since the last 2017 local polls as far as the ethnic composition of the heads of the local governments is concerned (for details, see Annex 1).

The 2022 local elections are a further backsliding on inclusion. In comparison with the previous local elections, the representatives of the Madhesh-based ethno-regional parties declined noticeably. In contesting mayoral posts, the victory of engineer and rapper turned politician Balendra Shah aka Balen Shah, a young man belonging to the Madheshi community

from Kathmandu metropolis (the traditional homeland of Newar Janajati), and the success of Rajesh Man Singh, who has a hill Janajati (Newar) background, from Birgunj metropolis (a heartland of Madheshi community), have been seen as a sign for the end of ethnicity playing a major role in politics. This narrative, however, does not explain the victory of the Nagarik Mukti Party, a newly formed Tharu-based party, in four adjoining local governments (Tikapur, Bhajani, Joshipur and Janaki), located in southern parts of Kailali district of the Sudurpashchim Province. These are but exceptional stories. The fact is that the 2022 local elections, praised for circulating the elites out of power, have nothing to do with the inclusion of ethnic minorities. The widespread replication of the previous election results with regards to the ethnic background of elected heads of the local governments tells a rather different story, one that the change among those in power happens largely among members of the same ethnic groups.

At the same time, inclusive representation is of great importance for the consolidation of democracy in a country of such immense ethnic diversity as Nepal. Indeed, periodical surveys on human development index, poverty incidence and government index (representation in state apparatus) reveal a persistence ethnic inequality between the dominant Khas Arya and the excluded Janajati, Madheshi and Dalit in all walks of life: social position, economic status and political space (Neupane, 2000; DFID and World Bank, 2006).

Table 2: Inequality among caste/ethnic groups

Caste/ethnicity 1996		Human development index (HDI)			Poverty incidence (PI) in per cent			Government ##in per cent
		2006	2011	1995/96	2003/04	2011	2005	
	National	0.325	0.509	0.490	42	31	25	100
Hill Castes	Brahmins	0.441	0.612	0.557	34	18	10	71
	Chhetris	0.348	0.514	0.507			23	
	Dalits	0.239	0.449	0.446			58	
Hill IPs	Newars	0.457	0.616	0.565	19	14	10	12
	Other IPs	0.299	0.507	0.482	49	44	28	7
Madheshi	High castes	0.313	0.625	0.536	NA	NA	19	8
	Middle castes		0.450	0.460	29	21	29	
	Tarai IPs		0.470	0.473	53	35	26	
	Dalits	0.239	0.383	0.400	NA	NA	38	
	Muslims	0.239	0.401	0.422	44	41	20	

Sources: NESAC (1998), UNDP (2009; 2014); CBS (2005; 2011).

Thus, a number of concerted efforts and interventions are necessary to reshape the new local governments in

conformity with a core mission of the post-2006 state restructuring project: ending inequality, discrimination and deprivation through redistribution of political power among the ethnic groups against the longstanding domination of the one single community, the Khas Arya. For instance, reservations on executive posts of local government, including a quota system on mayors and chairs of municipality/village government helps to transform the state of inclusion from tokenistic to substantial. For heterogeneous LGs in terms of ethnic demography, the definition of minority should be changed from general to specific (contextual to each local government) with a provision of mandatory representation of the local minority, as of women

and Dalit, in the local government. Furthermore, a vision and plan to restructure the local governments, relative to 2017, in favour of creating more and more homogeneous local political space, would certainly facilitate the aspiration of ethnic minorities to place themselves in local power structures to a greater degree. For policy inclusion, it is also sensible to reinstate one of the pertinent inclusive provisions of the erstwhile Local Self-Governance Act 1999; namely the allocation of one-third of the annual budget of the local government for Targeted Group Development Programmes.

Elite Circulation

Let us return to the main point of the present paper, that the result of the 2022 local elections is remarkable with regards to elite circulation. In retrospect, anti-incumbency, both at individual and party levels, is common – a *sin qua non* that Nepal has long observed in both local and general elections. For instance, the NC, the majority party in the first parliamentary elections after the restoration of democracy in 1990, was relegated into the opposition party in the subsequent 1994 mid-term elections. Hence, the UML, then the major opposition party, was upgraded as the largest party of the hung parliament (1994-1999). But in the succeeding general elections, held in 1999, the NC reinstated itself as the majority party in the parliament. In the next general elections, the 2008 first Constituent Assembly (CA-I) elections, held after nine years, the NC fell to the position of the second-largest party, far behind the first largest party, the Communist Party of Nepal – Maoist or CPN-M (now named Maoist Centre or MC). The CPN-M, in the subsequent 2013 Constituent Assembly (CA-II) elections, also pushed back to the position of the third-largest party, following the placement of the NC and the UML as the first and second largest party respectively. In the subsequent general elections, held in 2017, the UML regained the number one position again, which it had achieved in the 1994 midterm polls (ECN, 2018).

A change of party in power at national level in each subsequent general election was replicated in the local elections. In the 1992 local polls – the first local elections post 1990 – the NC won more than half of total rural and urban governments, but in the 1997 local elections the UML became the ruling party in around 55 per cent of local elected governments (Development Research for a Democratic Nepal (DREFDEN), 1992 and Maharjan, 1998). This trend continued as the UML and the NC alternated victories in the last two local polls, held in aftermath of the post-2006 pro-democracy movement often referred as Jann-Andolan II, as being the number one party, the former in 2017 and the later in 2022.

A change of party position in each subsequent general election has been replicated at individual level among the people's elected representatives at both national and local levels. Following a result of national referendum in 1981, the partyless panchayat system⁴ (which survived for three decades, from 1960 to 1990) introduced a system of adult franchise. Among the 112 *Panchas* elected in national panchayat (unicameral legislature) in 1981, only 39 (34.8 per cent) were able to sit for the second tenure with their victory in the subsequent general elections, held in 1986. Notwithstanding a change of regime from a partyless to a multiparty system, the anti-incumbency voting pattern remained. Out of 205 lawmakers elected in the House of Representatives (HoR) in 1991, only 88 (42.9 per cent) of them retained their position in the subsequent 1994 mid-term elections. Similarly, only 44 (21.4 per cent) among those elected in 1994 were re-elected in the 1999 general elections. Again, only 34 (16.1 per cent) of 210 CA-I members elected in 2008 through the First Past the Post (FPTP) were able to retain their position in the 2013 CA-II elections. For the HoR in the post-constitution time, the number of FPTP members has been reduced into 165. Only 51 (24.2 per cent) among those elected in the CA-II retained the position in the 2017 parliamentary elections. Only 21 per cent among the 753 LG heads elected in 2017 local polls, were able to regain plebiscite legitimacy in the recent 2022 local elections.

Almost half of the incumbent heads of the LGs were ringed out at the first stage or before the elections, at the time political parties selected their candidates. In the second stage, only less than half of those incumbents who made it through as candidates in the 2022 local elections went on to regain a majority of votes. Altogether, only 21 per cent of incumbent heads of the LGs were re-elected.

⁴ A system established by the then King Mahendra in 1960 where political parties were banned and the King had sole authority over all government institutions including the Cabinet and the parliament. The system lasted until 1990.

Table 3: Heads of local government, figure of re-candidacy (by party) and re-endorsement (by voters)

Status	NC	UML	CPN-US	MC	JSP	LSP	Others	Total
Elected in 2017	275	294		106	33	25	20	753
Re-candidacy by party	134 (49%)	107 (36%)	9 (3%)	46 (43%)	21 (64%)	18 (72%)	9 (45%)	344 (45%)
Re-endorsed by voters	60 (22%)	53 (18%)	8 (3%)	24 (23%)	3 (9%)	4 (16%)	6 (30%)	158 (21%)

Source: ECN (2018; 2022).

Generally, a political party selects its candidates for elections whose prospects of victory are high. In the first elections held in the aftermath of a regime change, the prospect of victory was largely equated with an individual's record of continuity and sacrifice for the party's mission, for instance 1959 parliamentary elections (background: introduction of democracy through 1950-51 armed revolution), 1991 general elections (context: restoration of democracy in 1990 through Jana Andolan I) and 2008 CA-I elections (preface: a decade long Maoist insurgency and 2006 Jana Andolan II). Therefore, parties selected their own candidates accordingly (Hachhethu, 2021). But this factor has become somewhat blurred over time in subsequent elections, between 1990-2006 and after 2008 onwards. Since elections have become increasingly costly, persons with economic power, particularly the new rich among the party cadres, have risen in the party structures during the times without elected local governments (2002-2017) through manipulation of grants received to run local development. In addition, those involved in real-estate and petty contract have succeeded in influencing the politics of local elections, both in selection of candidates

and election from peoples' votes. This remained the same. However, the performance (or non-performance) of incumbents was also considered as a vital element of winnability prospect. An additional reason why a number of incumbent local government heads did not receive tickets in the 2022 local elections is because of the pre-poll alliance among the partners of the NC-led coalition government. For instance, the NC kept it out from candidacy of the head post in 121 LGs in favour of its alliance partners. For the 2022 local elections, political parties picked up new candidates in higher number in a race to the post of local government head. More than half of total candidates of the NC and MC on this post were new and the figure further jumped up to around two-thirds in the case of the UML, Janata Samajbadi Party (JSP) and Loktantrik Samajbadi Party (LSP). Such an anti-incumbent candidacy paved the way for a rotation of political elites which turned to be beneficial for political parties. The share of newcomers among the successful candidates to the post of the local government heads is very high, 90 per cent of JSP, followed by 82 per cent of NC, 80 per cent of MC, 75 of LSP, and 74 per cent of UML (for details, see Annex 3).

Table 4: Heads of local government (2022) contribution by incumbent and new leaders

Representation in 2022								
2022 result	NC	UML	CPN-US	MC	JSP	LSP	Others	Total
Seats	329	206	20	121	30	16	31	753
By incumbents	60	53	8	24	3	4	6	158
By new	269 (82%)	152 (74%)	12 (60%)	97 (80%)	27 (90%)	12 (75%)	25 (81%)	595 (79%)

Source: ECN (2018; 2022).

Indeed, voters of the 2022 local elections were far ahead of the political parties. Their penchant for change was expressed at both party and individual levels. Let alone the case of losers (UML), even the gainers (for instance NC and MC) lost from almost half of constituencies they achieved in the last 2017 local polls, indicating voters choice for a change. On the top post of the local government, the NC was voted out from 147 (47 per cent) constituencies; this figure is much higher in

Madhesh Province, Bagmati Province, Gandaki Province and Karnali Province. The turnout for MC's former local government heads was similar with up to 60 per cent in Gandaki and even 90 per cent in Madhesh, much more than average figure of its lost, 49 per cent. The Madhesh-based parties, JSP and LSP, lost in around 85 per cent of their constituencies. from their hinterland (Madhesh Province) where these parties gained in the last elections (for details, see Annex 4).

Table 5: Heads of local government figure of losses (from 2017) and gains (in 2022)

Status	NC	UML	CPN-US	MC	JSP	LSP	Others	Total
Elected in 2017	275	294		106	33	25	20	753
Lost from 2017	129 (47%)	199 (68%)	---	52 (49%)	25 (75%)	21 (84%)	14 (70%)	440 (58%)
Retained from 2017	146 (53%)	95 (32%)	8# (3%)	54 (51%)	8 (25%)	4 (16%)	6 (30%)	313 (42%)
Gained in 2022	183 (56%)	111 (54%)	12 (60%)	67 (55%)	22 (73%)	12 (75%)	25 (81%)	440 (58%)
Total in 2022	329	206	20	121	30	16	31	753

This figure is excluded from total no of this row (retained from 2017) and inserted to another row (gained in 2022).

Source: ECN (2018; 2022).

As shown in Annex 2, among the incumbent local government heads who also received ticket in the 2022 local elections (344, 46 per cent of total 753), only 158 (46 per cent) were re-elected. This accounted a success of less than half of those contested for the second time from each of three major parties, NC, UML and MC. Overall, people's endorsement of incumbent local governments is very low, 21 per cent in accumulative figure. Party-wise disaggregated data of re-election of the incumbents shows a 23 per cent of the MC, followed by 22 per cent of NC, 18 per cent of UML, 16 per cent of LSP and 9 per cent of JSP (for details, see Annex 4). In sum, an overwhelming number of the incumbent local government heads were voted out in the post-constitution's second local elections. Why is that?

In retrospect, partly for defending the new constitution and partly in consideration of its expanded jurisdiction (22 exclusive and 15 concurrent), the local government was projected as an almighty mini Singha Durbar, particularly around the time of the first post constitution

polls. With this obsession, a number of studies conducted came up with a rosy picture of the new local governments. For instances, in evaluation studies of the local governments carried out separately by the Ministry of Federal Affairs and Local government, the National Natural Resources and Fiscal Commission, and the National Rural Municipality Institution (National Association of Rural Municipality in Nepal, nd), more than half of 753 local governments scored around 60 out of 100 points (Kumar, 2022). A number of short-term rapid field-based observation researches done separately by non-governmental sectors also projected a bright picture of local governance under new dispensation (TAF, ; DRC, 2018 and 2019; Banskota and Pyakurel, 2021). Indeed, a survey found that 80 per cent of respondents trusted the heads of the local governments (Kathmandu University School of Arts and Interdisciplinary Analysts, 2020). These studies highlighted several areas where the local government's performance was appreciated, namely: relatively easy access to both administrative and elected authorities (despite distancing the place of

service delivery); delivery of service on time particularly on issuing certificates related to record keeping (birth, marriage, death, migration etc.); distribution of services related to social security (i.e. scholarship); improvement in health and education; management of local disputes; and expansion of the sources of internal revenue. But the outcome of the 2022 local election results disproved such findings to a large extent, so there is a question mark over the credibility and validity of these research; otherwise four-fifths of incumbent local government heads would not be thrown out by the voters. This result informs the actual state of affairs, a gap between expectation of peoples and performance of the local governments.

There are two dominant narratives on poor performance and/or bad governance of the local governments. One is non-cooperation from the upper-level governments, the federal government in particular, and the other is incapacity of the local government to cope with its extended jurisdiction. In contrast to the projection of the new local governments as an autonomous body with enormous power on executive, legislative, judiciary, economic and others in their own respective territory, they have been largely running as the previous local units under the past unitary system. Their administration is headed by an officer deputed by the central government. Furthermore, the local administration has 12 other central line agencies (Siwakoti and others, 2019), run by employees deployed by and accountable to federal government agencies. In fact, the three-tier federal system in Nepal is designed along the lines of centralized federalism. Let alone those in concurrent list, most of the powers listed as local governments are exclusive of jurisdiction with the authority of the central and or provincial government. For instance, out of twelve items listed in its revenue and taxation powers, seven are also placed in exclusive jurisdiction of the provincial government too. A point that needs to be made here is that a law made by the local government, if inconsistent with or in contradiction to the law of the provincial or central government, becomes void. Nevertheless, some read the status of the new local government differently. Those who see a narrative of the new local government as independent body on its list of jurisdictions found that most of their powers have not yet been enacted, mainly due to the lack of a legal framework from the

federal government. Those critics, therefore, have accused the central government of indifference to, non-cooperation with, and even encroachment upon the local government's jurisdiction (Subedi, nd; Baskota, nd; Magar, 2022; Byanju, 2022).

Another dominant narrative is that the new local governments are, meanwhile, not capable of bearing the extended powers granted by schedules 8 and 9 of the constitution. They have been running with shortage of knowledge (particularly on law-making and judicial affairs), poor state of human resources (both technical and non-technical), and lack of economic resources (Banskota and Pyakurel, 2021; DRC, 2019; Budhathoki, 2022). A study of seven local governments found village governments and newly formed municipalities in a poor state, since the contribution from their own internal sources figured only less than five per cent of the total budget of a fiscal year 2017/18 (TAF, 2018). Furthermore, most local governments were not able to spend even half of their total annual budget. As reported time and again by media, a large chunk of money expended by the local governments are on unproductive sectors, i.e. construction of viewing towers, temples, welcome gates, office buildings, roads (without ecological survey and proper engineering design), and unnecessary logistics such as vehicles. Worst of all, many employees and elected representatives of the local governments have been found to be involved in bribery and corruption. The number of corruption cases against the local governments registered with the Commission for the Investigation of Abuse of Authority in the fiscal year 2020/21 reached 9,649 (Magar, 2022).

In sum, the local governments have largely failed to perform to the level of satisfaction of their concerned citizens, whatever the reason may be: the still centralized federal structure, non-cooperation from the federal government, their own incapacity, or some combination of all three. It is well manifested at this critical time that four-fifths of the incumbent local government heads were turned out by the 2022 local elections.

Power Equation

In retrospect, the result of the 2022 local elections was in favour of the coalition parties in power in Kathmandu. There have been few exceptions, where the opposition party or a junior partner of the ruling coalition has trumped over the dominant party: the 1994 mid-term elections, 2008 CA-I elections and 2017 elections (federal, provincial and local elections). The history of both local and national elections of Nepal since 1991 stands witness to the fact that the ruling parties have taken advantage in bringing election results in its/their favour. Of many factors that influence the votes, manipulation of state machineries, police and

bureaucracy in particular by the party(ies) in government, have been noticed widely (DREFDEN, 1992; Maharjan, 1998). By any standard, the 2022 local elections were no exception. Top of that, at the outset, all the four partners of the coalition government (NC, MC, Communist Party of Nepal–Unified Socialist or CPN–US, and JSP) plus one other party (Rastriya Jana Morcha) built up an electoral alliance, even if only a loose and partial one in contesting 209 of the 753 local governments. As expected, the major partners of the ruling alliance bloc (NC and MC) were able to put them ahead in the race for the 2022 local elections.

Table 6: Results of local election 2017 and 2022 (mayor/chairperson) by political parties and provinces

Parties		P-1	Madhesh	Bagmati	Gandaki	Lumbini	Karnali	Sudurpashchim	Total	Popular vote per cent
NC	2017	54	43	35	44	35	25	39	275*	
	2022	69	46	58	36	48	32	40	329	33.00
	+/-	+15	+3	+23	-8	+13	+7	+1	+54	
UML	2017	69	18	64	34	43	27	39	294	
	2022	47	30	26	35	27	15	26	206	34.13
	+/-	-22	+12	38	+1	-16	-12	-14	-88	
MC	2017	9	21	17	5	19	25	10	106	
	2022	12	9	27	11	25	23	14	121	13.36
	+/-	+3	-12	+10	+6	+6	-2	+4	+15	
CPN-US	2022	2	6	5	1	-	4	2	20	3.93
JSP	2017	2	27	1	-	3	-	-	33#	
	2022	2	25	-	-	3	-	-	30	5.10
	+/-	0	-2	-	-	0	-	-	-3	
LSP	2017	-	25	-	-	-	-	-	25	2.17
	2022	-	14	-	-	2	-	-	16	
	+/-	-	-11			+2	-	-	-9	
Others/ind.	2017	3	2	2	2	9	2		20	
	2022	5	6	3	2	4	5	6	31	
Total		137	136	119	85	109	79	88	753	

* Nine seats obtained by MJF (D) are accounted into NC because of merger of the former into the later.

Three seats scored by Sajhiya Samajbadi Party (SSP) and Naya Shakti (NS) are adjusted into JSP on account of their merger to a party which eventually took a new name, JSP.

The NC has been the major gainer of the 2022 local election. It won in 44 per cent of the 753 local governments. The table above shows that it has placed itself as the number one party in local governments of each of the seven provinces of federal Nepal, even if it did see a scaling down in Gandaki Province from 44 (2017) to 36 per cent.

Next to the NC, the other gainer of the 2022 local elections has been the MC, which has managed to sustain itself as the third largest party with its strength of leadership position in 121 local governments, adding 15 to the 106 it won in the 2017 local polls. It even surpassed the UML, the largest party in parliament and now stands next to the NC in results of the 2022 local polls, in election results of the local government heads of the Bagmati Province and Karnali Province. The CPN-US, a splinter group of the UML, won in only 20 local governments and its overall share of the vote was limited to around 4 per cent. The JSP, despite being a member of the ruling coalition bloc, lost, reducing its representatives in the local government heads from 33 to 30. The main reason for this was the fact that they contested on divided line, in contrast to the partnership among the Madhesh-based regional parties in previous elections like the 2008 CA-I elections, 2013 CA-II elections and 2017 local elections. The LSP suffered even more as its representation in the post of the local government heads reduced from 25 to 16.

However, the main loser of the 2022 local poll is the UML as it has been relegated to the number-two party from being the largest party in the 2017 local elections. It lost 88 of its leadership positions in the local governments, from 294 in 2017 to 206 in 2022. It lost in all provinces except in Gandaki Province, where it could increase its seats in leadership positions marginally from 34 in 2017 to 35 in 2022 and, more notably, in Madhesh Province (from 18 to 30). Two obvious reasons contributed to the defeat of the UML in the 2022 local elections. One is that the split from the party of its splinter group, CPN-US, cut the prospect of the UML both symbolically and substantially. The other factor that negatively impacted the UML's prospects in local polls was an electoral alliance forged among the five ruling parties.

Two noticeable dimensions of electoral politics that emerged distinctly in the 2022 local elections are likely to see continuity in the forthcoming provincial and parliamentary elections. One is the pattern of bi-partisan pre-poll alliances, one led by the NC and another by the UML. The other dimension that is also likely to remain is political alliance among the political parties. The NC and UML have been competing to become the largest party and the MC is likely to remain the third strongest force. In Nepal's politics often marked by hung parliaments and coalition governments, the third largest party often enjoys great political leverage as a balancer and/or kingmaker. This is likely to remain a central feature in Nepalese politics.

Conclusion

The key message of the 2022 local elections, which needs to be learned primarily by newly elected representatives of the local governments, is that people voted for a change of the guard in many constituencies on account of poor performance or bad governance. However, to make this elite circulation also relevant for meaningful inclusion of both marginalized groups and ethnic minorities, the provisions in regard to inclusion would need to be revisited once again. The 2022 local elections are indeed remarkable for setting a precedent of pre-poll alliance across parties with different ideologies, which is likely to go further as an enduring feature of Nepali politics. A point of caution in this regard is that pre-poll alliances should be backed up by a common minimum programme among the alliance partners for the post-election time as a corner stone of coalition culture. Since most of the new local governments, like previous ones, are constituted by representatives of different political parties, effective and responsive local governance would need the fostering of a coalition culture, a culture of collaboration, cooperation and coexistence among the political actors with different ideological background. This would indeed be a significant improvement in contemporary Nepalese politics, which seems to be characterized by pre-poll alliances, hung parliaments – now existing in all seven sub-national legislatures as well as the national one – and consequently the fact that coalition governments are now standing in all seven provinces as well as at the centre. Democracy in Nepal has to work with a reshaping of party competitive system in corresponding to these emerging trends. Thus, building and fostering a coalition culture has become a necessary and key instrument for the management and consolidation of democracy in Nepal at both macro and micro levels.

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Annex 1

Chiefs of local governments 2017 and 2022 by province and caste/ethnicity

Provinces Total seats	Caste/ Ethnicity	Population	Heads of LGs		Balance in seats (+/-)	2022, in ratio of population
			2017	2022		Balance in% (+/-)
P-1 137	Khas Arya	27.8%	42 (30.7%)	34 (24.8%)	-8	- 3.0%
	Hill Janjati	39.8%	77 (56.2%)	84 (61.3%)	+7	+ 21.5%
	Madheshi#	22.2%	18 (13.1%)	13.1%	0	- 9.1%
	Dalit	9.3%	---	1 (0.7%)	+1	-8.6%
Madhesh 136	Khas Arya	4.9%	12 (8.8%)	16 (11.7%)	+4	+6.8%
	Hill Janjati	6.4%	1 (0.7%)	1 (0.7%)	0	-5.7%
	Madheshi	72.4%	121 (88.9%)	117 (86.0%)	-4	+13.6%
	Dalit	16.3%	2 (1.4%)	1 (0.7%)	-1	-15.6%
Bagmati 119	Khas Arya	37.1%	60 (50.4%)	57 (47.8%)	-3	+10.7
	Hill Janjati	52.7%	58 (48.7%)	60 (50.2%)	+2	- 2.5%
	Madheshi	3.4%	1 (0.8%)	2 (1.6%)	+1	-1.8%
	Dalit	5.7%	---	---	---	-5.7%
Gandaki 85	Khas Arya	36.1%	48 (56.4%)	49 (57.6%)	+1	+21.5%
	Hill Janjati	39.3%	36 (42.3%)	33 (38.8%)	-3	-0.5%
	Madheshi	6.9%	---	--	---	-6.9%
	Dalit	17.6	1 (1.1%)	3 (3.5%)	+2	-14.1%
Lumbini 109	Khas Arya	30.3%	60 (55.0%)	66 (60.5%)	+6	+30.2%
	Hill Janjati	19.6%	20 (18.3%)	22 (20.1%)	+2	+0.5%
	Madheshi	36.0%	29 (26.6%)	19 (17.4%)	-10	-18.6
	Dalit	14.1%	---	2 (1.8%)	+2	-12.3%
Karnali 79	Khas Arya	61.0%	64 (81.0%)	67 (84.8%)	+3	+23.8%
	Hill Janjati	14.8%	14 (17.7%)	10 (12.6%)	-4	-2.2%
	Madheshi	---	---	--	---	---
	Dalit	22.9%	1 (1.2%)	2 (2.5%)	+1	-20.4%
Sudur- pachhim 88	Khas Arya	60.0%	77 (87.5%)	77 (87.5%)	-1	-27.5%
	Hill Janjati	3.5%	2 (2.2%)	1 (1.1%)	-1	-2.4%
	Madheshi	18.9%	7 (7.9%)	9 (10.2%)	+2	-8.7%
	Dalit	12.9%	2 (2.2%)	1 (1.1%)	-1	-11.8%
	Others	4.3%	---	---	---	-4.3%
Total = 753	Khas Arya	31.3%	363 (48.2%)	366 (48.6%)	+3	+17.3%
	Hill Janjati	27.3%	208 (27.6%)	211 (28.0%)	+3	+0.4%
	Madheshi	27.5%	176 (23.3%)	166 (22.0%)	-10	-5.5%
	Dalit	12.9%	6 (0.7%)	10 (1.3%)	+4	-11.6%

Source: ECN (2018; 2022); Nepali, Ghale and Hachhethu (2018).

Including Tharu and Muslim

Annex 2

Heads of local government, figure of re-candidacy (by party) and re-endorsement (by voters)

Province	Status	NC	UML	CPN-US	MC	JSP	LSP	Others	Total
Province 1	Elected in 2017	54	69		9	2	---	3	137
	Re-candidacy by party	24 (44%)	28 (41%)	2 (3%)	9 (100%)	2 (100%)	---	3 (100%)	68 (50%)
	Re-endorsed by voters	10 (19%)	12 (17%)	2 (3%)	5 (56%)	---	---	1(33%)	30 (22%)
Madhesh	Elected in 2017	43	18		21	27	25	2	136
	Re-candidacy by party	26 (60%)	9 (50%)	1 (6%)	13 (62%)	16 (59%)	18 (72%)	---	83 (61%)
	Re-endorsed by voters	5 (12%)	1 (6%)	1 (6%)	2 (10%)	2 (7%)	4 (16%)	----	15 (11%)
Bagmati	Elected in 2017	35	64		17	1	---	2	119
	Re-candidacy by party	23 (66%)	21 (33%)	2 (3%)	7 (41%)	---	---	1 (50%)	54 (45%)
	Re-endorsed by voters	18 (51%)	10 (16%)	1 (2%)	5 (29%)	---	---	1 (50%)	35 (29%)
Gandaki	Elected in 2017	44	34		5	---	---	2	85
	Re-candidacy by party	21 (48%)	14 (41%)	1 (3%)	3 (60%)	---	---	2 (100%)	41 (48%)
	Re-endorsed by voters	9 (20%)	12 (35%)	1 (3%)	2 (40%)	---	---	2 (100%)	26 (31%)
Lumbini	Elected in 2017	35	43	---	19	3	---	9	109
	Re-candidacy by party	20 (57%)	16 (37%)	---	4 (21%)	3 (100%)	---	3 (33%)	46 (42%)
	Re-endorsed by voters	10 (29%)	6 (14%)	---	2 (11%)	1 (33%)	---	1 (11%)	20 (18%)
Karnali	Elected in 2017	25	27		25	---	---	2	79
	Re-candidacy by party	8 (32%)	7 (26%)	2	5 (20%)	---	---	2 (100%)	22 (28%)
	Re-endorsed by voters	4 (16%)	1 (4%)	2	4 (16%)	---	---	1 (50%)	10 (13%)
Sudur-Paschim	Elected in 2017	39	39		10	---	---	---	88
	Re-candidacy by party	12 (31%)	12 (31%)	1 (3%)	5 (50%)	---	---	---	30 (34%)
	Re-endorsed by voters	4 (10%)	6 (15%)	1 (3%)	4 (40%)	---	---	---	15 (17%)
Total	Elected in 2017	275	294		106	33	25	20	753
	Re-candidacy by party	134 (49%)	107 (36%)	9 (3%)	46 (43%)	21 (64%)	18 (72%)	9 (45%)	344 (46%)
	Re-endorsed by voters	60 (22%)	53 (18%)	8 (3%)	24 (23%)	3 (9%)	4 (16%)	6 (30%)	158 (21%)

Annex 3

Heads of local government (2022) contribution by incumbent and new leaders

Province	Representation in 2022								
	2022 result	NC	UML	CPN-US	MC	JSP	LSP	Others	Total
Province 1	Seats	69	47	2	12	2	---	5	137
	By incumbents	10	12	2	5	---	---	1	30
	By new	59 (86%)	35 (74%)	---	7 (58%)	2 (100%)	---	4 (80%)	107 (78%)
Madhesh	Seats	46	30	6	9	25	14	6	136
	By incumbents	5	1	1	2	2	4	---	15
	By new	41 (89%)	29 (97%)	5 (83%)	7 (78%)	23 (92%)	10 (71%)	6 (100%)	121 (89%)
Bagmati	Seats	58	26	5	27	---	---	3	119
	By incumbents	18	10	1	5	---	---	1	35
	By new	40 (69%)	16 (62%)	4 (80%)	22 (81%)	---	---	2 (67%)	84 (71%)
Gandaki	Seats	36	35	1	11	---	---	2	85
	By incumbents	9	12	---	2	---	---	2	25
	By new	27 (75%)	23 (66%)	1 (100%)	9 (82%)	---	---	---	60 (71%)
Lumbini	Seats	48	27	---	25	3	2	4	109
	By incumbents	10	6	---	2	1	---	1	20
	By new	38 (79%)	21 (78%)	---	23 (92%)	2 (67%)	2 (100%)	3 (75%)	89 (81%)
Karnali	Seats	32	15	4	23	---	---	5	79
	By incumbents	4	1	2	4	---	---	1 (20%)	12
	By new	28 (88%)	14 (93%)	2 (50%)	19 (83%)	---	---	4 (80%)	67 (85%)
Sudur-pachhim	Seats	40	26	2	14	---	---	6	88
	By incumbents	4	6	1	4	---	---	--	15
	By new	36 (90%)	19 (76%)	1 (50%)	10 (71%)	---	---	6 (100%)	72 (83%)
Total	Seats	329	206	20	121	30	16	31	753
	By incumbents	60	53	8	24	3	4	6	158
	By new	269 (82%)	153 (74%)	12 (60%)	97 (80%)	27 (90%)	12 (75%)	25 (81%)	595 (79%)

Annex 4

Heads of Local Government: Continuity and Change

Province	Status	NC	UML	CPN-US	MC	JSP	LSP	Others	Total
Province 1	Elected in 2017	54	69		9	2	---	3	137
	Lost from 2017	25 (46%)	45 (65%)		4 (44%)	2 (100%)	---	2 (67%)	
	Retained from 2017	29	24	2	5	---	---	1	
	Gained in 2022	40	23	--	7	2	---	4	
	Total in 2022	69	47	2	12	2	---	5	
Madhesh	Elected in 2017	43	18		21	27	25	2	136
	Lost from 2017	27 (63%)	16 (89%)		19 (90%)	23 (85%)	21 (84%)	2 (100%)	
	Retained from 2017	16	2	1	2	4	4	---	
	Gained in 2022	30	28	5	7	21	10	6	
	Total in 2022	46	30	6	9	25	14	6	
Bagmati	Elected in 2017	35	64		17	1	---	2	119
	Lost from 2017	19 (54%)	44 (69%)		4 (24%)	1 (100%)	---	1 (50%)	
	Retained from 2017	16	20	1	13	---	---	1	
	Gained in 2022	42	6	4	14	---	---	2	
	Total in 2022	58	26	5	27	---	---	3	
Gandaki	Elected in 2017	44	34		5	---	---	2	85
	Lost from 2017	24 (55%)	17		3 (60%)	---	---	---	
	Retained from 2017	20	17	1	2	---	---	2	
	Gained in 2022	16	18	--	9	---	---	---	
	Total in 2022	36	35	1	11	---	---	2	
Lumbini	Elected in 2017	35	43		19	3	---	9	109
	Lost from 2017	13 (37%)	30 (70%)		5 (26%)	2 (67%)	---	8 (89%)	
	Retained from 2017	22	13	--	14	1	---	1	
	Gained in 2022	26	14	---	11	2	2	3	
	Total in 2022	48	27	---	25	3	2	4	
Karnali	Elected in 2017	25	27		25	---	---	2	79
	Lost from 2017	13 (52%)	18 (67%)		12 (48%)	---	---	1 (50%)	
	Retained in 2017	12	9	2	13	---	---	1	
	Gained in 2022	20	6	2	10	---	---	4	
	Total in 2022	32	15	4	23	---	---	5	

Sudur-pachhim	Elected in 2017	39	39		10	---	---	---	88
	Lost from 2017	19 (49%)	29 (74%)		5 (50%)	---		---	
	Retained from 2017	20	10	1	5	---		---	
	Gained in 2022	20	15	1	9	---		6	
	Total in 2022	40	25	2	14	---		6	
Total	Elected in 2017	275	294		106	33	25	20	753
	Lost from 2017	129 (47%)	199 (68%)	---	52 (49%)	25 (75%)	21 (84%)	14 (70%)	440 (58%)
	Retained from 2017	146 (53%)	95 (32%)	8# (3%)	54 (51%)	8 (25%)	4 (16%)	6 (30%)	313 (42%)
	Gained in 2022	183 (56%)	111 (54%)	12 (60%)	67 (55%)	22 (73%)	12 (75%)	25 (81%)	440 (57%)
	Total in 2022	329	206	20	121	30	16	31	753

This figure is excluded from total no. of this row (retained from 2017) and inserted to another row (gained in 2022).

About the author

Krishna Hachhethu is a political analyst and Professor of Political Science at Tribhuvan University. He was a visiting scholar at Wolfson College, University of Oxford, United Kingdom. He has been an international observer for provincial elections in Sri Lanka in the year 1993 and UN Observer for General Elections in South Africa in the year 1994. He has conducted extensive research on politics, governance and inclusion in Nepal and South Asia.

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