

# NEPAL LOCAL ELECTIONS 2022 PRE-ELECTION BRIEF\*

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Photo Courtesy: Kathmandu Post

## KEY MESSAGES

The 2017 local election resulted in a highly skewed gender representation and underrepresentation of marginalized groups in top local government positions. The trend may repeat due to electoral alliance among political parties and is likely to further undermine the constitutional provision of inclusive political representation at the local level.

There is a growing attraction towards local government in recognition of the power, influence, and resources at their disposal. This is driving senior leaders, including several provincial and (in some cases) federal-level leaders, who are actively lobbying to secure their candidacy for the position of mayor.

Local government attraction and electoral alliance are likely to dent the aspirations of incumbent women deputy mayors, who have the interest, capacity, and experience, to contest for the position of mayor. It will also impact the overall representation of women in leadership positions, across all provinces.

High election spending is increasingly encouraging people with money at their disposal, including those with limited political experience or popularity among the electorate, to seek party candidacy. Political parties are more likely to field candidates that have deep pockets, irrespective of contributions or experience.

While local leaders' shift in loyalty is motivated by their desire to secure candidacy, the transactions work at both ends, with the party looking to field a candidate who can fund the electoral campaign and can better interact with the diversity of the electorate.

Nepal is holding its municipal elections on May 13, 2022. This election will choose local government executives across 6 metropolitan cities, 11 sub-metropolis, 276 urban municipalities, and 460 rural municipalities. Besides electing 753 heads and deputies of the local governments, voters across the country will also choose 6,743 ward chairpersons and 26,972 ward committees members through a constitutionally mandated inclusive process of proportional electoral representation. Over 17 million voters are eligible to cast their vote across 10,756 polling centers. [1]

In the 2017 local elections, the Communist Party of Nepal (Unified Marxist-Leninist) (CPN-UML) had won the largest number of seats for all available local government positions across the country, followed by the Nepali Congress (NC) and the Communist Party of Nepal (Maoist Centre) (CPN-Maoist), respectively. Despite CPN-UML emerging as the strongest political party across the 753 local governments, the breakdown of the election results across the seven provinces indicated inter-party competition to be more nuanced. While CPN-UML dominated Province 1 and Bagmati Province, NC secured the largest number of local government seats in the Madhes and Gandaki Provinces. Both parties competed closely in the Karnali and Sudurpaschim Provinces, with CPN-UML winning a few more seats than NC. It must be noted that the Madhes-based parties did not contest the first two phases of the local elections in 2017, due to their discontent against the new constitution promulgated in September 2015. This explains their weak performance across different provinces, including in the Madhes Province.

This brief explores key emerging trends shaping and defining the 2022 local elections. It draws on the evidence and analyses from ongoing research collaboration, as part of the Responding to Nepal's Transition (RENT) program, between Policy Entrepreneurs Inc. and SOAS University of London on federalism in Nepal. [2]

[1] Election Commission Nepal, Local Government Elections E-bulletin, Year 1 Volume 1, 2022. <https://bit.ly/3xURdab>

[2] Research and Evidence for Nepal's Transition (RENT) is a five-year (2019-2024) research project funded by the Foreign and Commonwealth Development Office (FCDO) that is generating evidence and data to understand how the political, economic and social contexts in Nepal are changing under federalism.

## LOOKING BACK AT THE FIVE YEARS OF LOCAL GOVERNMENT

The 2017 elections carried immense significance for Nepal's federal transition. After nearly two decades of political vacuum at the local level, it successfully authorized elected representatives to put into practice constitutionally provisioned power and authority. The transition mandated goals of promoting inclusion and strengthening local development. The tenure of the newly elected local governments, in the initial months and years, began with frequent confusion and chaos. In particular, the provincial and federal governments failed to draft and roll out necessary laws required for the functioning of the local governments. Also, clarity on inter-governmental jurisdictions and resource and revenue sharing was significantly delayed, and this directly impacted the capacity of local governments to engage and deliver to the expectations of the citizens. Five years down the road, while the issue of "clarity" is still unsettled in many domains, the majority of local governments have now successfully instituted their core functional mandate and processes.

In terms of performance, the result remains a mixed bag. The first tenure of local governments has been a montage of successes and failures. Contrary to popular expectations, patronage, partisan politics, corruption, and rent-seeking have flourished across local bodies. This has resulted in major inefficiencies and economic losses at the local level, directly impacting the quality of developmental outcomes. At the same time, many local governments across the country have made their presence felt and laid the foundation for their successors to build from. [3] For instance, local governments have digitized information and services through their websites and mobile-based applications, which has made it easier for service seekers. They have also invested heavily in upgrading local infrastructures like roads, bridges, schools, health posts, and hospitals. Similarly, many local governments, responding directly to the objectives of federalism, have enacted favorable policies and mobilized resources for strengthening equity and inclusion. Research from RENT suggests that the quality of outcomes of local government actions is highly influenced by the nature of the organization of power at the local levels. This means that municipalities with a relatively even distribution of power among local actors/institutions are more likely to engage in checks and balances to deliver quality outcomes, as opposed to municipalities where power is centralized or heavily fragmented. On the other hand, where power is centralized or heavily fragmented, this promotes an environment to further political patronage, corruption, and rent-seeking, ultimately leading to low-quality outcomes.

Given the mixed results of local governments in their first tenure, it is difficult to draw an incontestable scorecard on their overall performance. However, it has been widely accepted that local governments have played a major role in reinvigorating social, political, and economic life across the country in the last five years. More importantly, the country at large has come to recognize local governments as being the key agents in Nepal's federal rubric. A case in point has been the role of local governments throughout the COVID-19 pandemic. [4]

## EMERGING TRENDS: PRE-ELECTION OBSERVATION

### Candidate Selection and Inclusion

The 2017 local election was a missed opportunity for promoting inclusion. Political parties generally failed to uphold the spirit of inclusion during candidate selection, resulting in a highly skewed gender representation and underrepresentation of marginalized groups in top local government positions. For example, in Madhesh Province, Khas-Arya and Yadavs, with a population of 4.9 percent and 14.7 percent, respectively, were nearly twice as much represented – 8.8 percent and 35.3 percent. Meanwhile, Madhesi Dalits, constituting 15.39 percent of the provincial population, held representation of only 1.4 percent. A similar case of over and under-representation exists across other provinces, most distinctively in the case of Tharus and Dalits in Lumbini and Sudurpaschim Provinces. For example, in Lumbini Province, Dalits, while constituting 14 percent of the population, have only 0.01 percent representation at the top of local governments. [5]

These numbers indicate that the major political parties failed to uphold the spirit of inclusion in their candidacy selection in 2017. A similar trend is emerging in the upcoming local elections, where the political parties have entered into an electoral alliance, dividing up the candidacy amongst themselves. While most political parties claim selection to be based on the recommendation from the party's local and district-level committees, more often it is the candidates who are close to powerful leaders at the federal or provincial levels that manage to secure candidacy. The likelihood of this repeating in 2022 is high, which could significantly undermine the constitutional provision of inclusive political representation at the local level, especially that of women, Dalits, and ethnic minorities.

### Attraction Towards Local Governments vs. Aspiration of Women Deputy Mayors

One of the highlights of local governance in the last five years has been the emergence of a generation of women leaders at the grassroots level. Women deputy mayors exhibit confidence they have derived from holding the office in the previous term, which encouraged them to claim candidacy for the mayoral position. However, the party leadership is burdened with managing the aspirations of senior leaders, including several

[3] Sahina Shrestha, "All Politics is Local," Nepali Times, January 28, 2022. <https://bit.ly/3x030an>

[4] Anurag Acharya, "Federal Transgressions and the Pandemic," The Kathmandu Post, August 24, 2020. <https://bit.ly/39gu7Rd>

[5] Janak Rai, "Deepening Federalism" Safer World and International Alert, 2019. <https://bit.ly/3vNtR3Q>

provincial and (in some cases) federal-level leaders, who are actively lobbying to secure their candidacy for the position of mayor. There is a growing attraction toward local government in recognition of the power, influence, and resources at their disposal. This is especially true for large metropolitan cities and urban municipalities that have huge budgets and a large electorate. For instance, former provincial minister Jeevan Ghimire and former federal minister Lal Babu Pandit from CPN-UML both lobbied for Biratnagar Metropolitan City's mayoral candidacy in Province 1. Similarly, another provincial parliamentarian Parmeshwor Sah from the Madhes Pradesh is an aspirant for Janakpur's mayoral candidacy from the Democratic Socialist Party. [6] The inclination to shift to local politics is higher among elected provincial representatives as they, in light of the unclear mandate and weak influencing capacity of the provinces, see local governments to be a stronger platform for politics. [7]

When the research team met women deputy mayors across different districts, they expressed their dissatisfaction over the lack of trust political leadership had shown in them. 'We don't want to contest in a deputy position once again. It is like failing a class and repeating,' argues Goma Acharya, who is a Deputy Mayor from Butwal Sub-metropolitan City. Another Deputy Mayor, Uma Thapa from Nepalgunj Sub-metropolis believes the party should consider the deputy mayor as a natural candidate. 'The new candidate cannot be more qualified than us as we have spent an entire tenure running the office,' she concludes. Unfortunately, for many women deputy mayors aspiring to compete for the position of mayor, the decision to carry forward the party alliance is already a setback to their hopes.

### The cost of campaigns

A 2018 research report published by Election Observation Committee Nepal documenting electoral spending for all three levels of government confirms that elections have become unaffordable for many aspiring candidates. The report states that NRs. 69.4 billion was spent in the 2017 local elections, of which more than NRs. 50 billion was spent by the candidates and their supporters. [8] On average, this means each mayor and deputy mayor candidate spent over a million rupees in the last local election. Comparing the electoral spending of winning candidates against the runner-ups, the EOC report concludes: 'The probability of winning the election increases with an increase in campaign expenditure.' [9]

The Election Commission of Nepal's updated guideline for the upcoming local polls stipulates that mayoral candidates must not spend more than NRs. 750,000. The stipulated amount is lower for candidates from urban and rural municipalities. [10] The numbers are an indication that there is little transparency around the actual electoral spending of the candidates, which may have discouraged leaders from diverse economic backgrounds from aspiring for candidacy. In a rare moment where politicians talk about their electoral spending, former Nepali Congress General Secretary Sashank Koirala claimed he spent NRs. 60 million to contest his last parliamentary election. [11] Koirala's claim is an indication that contesting elections, even at the grassroots level, has become extremely expensive for candidates. As a consequence, the political parties are more likely to field candidates that have deep pockets. [12]

Many leaders confirm that "capacity to fund" is one of the major criteria adopted by political parties in candidate selection. [13] An NC leader, who had been aspiring for the mayoral position in Province 1 but subsequently pulled out, lamented that the party has undermined the contributions of its grassroots leaders by overlooking them and giving tickets to businessmen and contractors. Another leader from UML in Lumbini Province also expressed similar frustration, as she shared how senior leaders discouraged her candidacy by telling her that she would not be able to spend enough to win the elections. The dejected leader told us, 'it has become impossible for leaders from a humble background to contest elections as we do not have resources at our disposal.' However, it is not just the party ranks that hold a preference for candidates that can spend. Given the culture of spending, even party cadres expect the senior party leadership to select candidates that have spending capacity. Cadres opine that such a selection lessens their burden to raise funds locally. [14]

The culture of election spending in Nepal is increasingly encouraging people with money at their disposal, including those with limited political experience or popularity among the electorate, to seek party candidacy. For example, in the 2017 local elections, more than 300 contractors were directly elected to office. [15] To discourage such a trend, the Election Commission of Nepal in its code of conduct has directed political parties

[6] Gopal Dahal et al., "Sansad bhaisakeka netaharu sthaniya chunavma ladna tayari" Himalkhabar, April 4, 2022. <https://bit.ly/3LdAnXP>

[7] PEI field interviews.

[8] Election Observation Committee Nepal, "Study on Election Campaign Finance," 2017. <https://bit.ly/3vzthWY>,Pg. 32-42.

[9] Ibid, Pg. 54

[10] Nepal Gazette, "Notice 1" Part 71)- No.51, March 21, 2022. <https://bit.ly/3LljdrA> , Pg. 6.

[11] Binod Ghimire, "Election year is here. Poll expenses major cause for concern," The Kathmandu Post, April 11, 2022, <https://bit.ly/3Lgwk97>

[12] Pranaya SJB Rana, "Bhojraj Pokharel: Honest people cannot contest direct elections anymore," The Kathmandu Post, March 1, 2020, <https://bit.ly/3rQzcp7>

[13] PEI field interviews.

[14] PEI field interviews.

[15] Mukesh Pokhrel, "Elected Contractors," Himal Khabarpatrika, No. 896, 2018 <https://bit.ly/3vbUa55>

[16] Election Commission, Nepal, Press Release, March 27, 2022 <https://bit.ly/3vDj6kt>

not to field candidates who were directly running businesses with the local governments or had a conflict of interest in this regard. [16] This code of conduct, however, is likely to be enforced weakly or selectively as there already exists a very strong nexus between businesses and politics in Nepal.

## Shifting Loyalty

As with past elections, we are witnessing shifting loyalty among political leaders from different parties, who are changing camps in the run-up to the elections. Besides senior leaders from federal and provincial levels, local leaders are also crossing over to different parties. The phenomenon is especially visible among incumbent mayors who are eager to contest again, or among disgruntled leaders who have been promised a running ticket in a different party. [17] For example, Jalim Miya Ansari, Chair of Jagarnathpur Municipality, elected from CPN-MC, has joined CPN UML. Jagarnathpur is the electoral constituency of PSP leader Lal Babu Raut, Chief Minister of Madhes Province. PSP leader and incumbent mayor of Birgunj Metropolitan City Vijay Sarawagi also joined CPN-UML along with his fellow cadres in March 2022. Initially, he was keen to join NC, but opted to join CPN-UML in light of the intra-party competition in NC.

Recently, Janakpur's Mayor Lal Kishore Sah decided to remain in PSP in anticipation of a running ticket for the Mayor, rather than joining his former political patrons who walked out of the party and formed Loktantrik Samajwadi Party (LSP). [18] On the other hand, Mayor Manmohan Chaudhary of Lumbini Sanskritik Municipality in Lumbini Province abandoned PSP and joined LSP, after the former refused to repeat his candidacy. Vice-chairperson of Panini Rural Municipality in Arghakhachi district Laxmi Gautam also abandoned UML and joined NC after she was promised a running ticket. Rajat Pratap Shah of Kapilvastu negotiated his running ticket with PSP, CPN-UML, and NC, before joining the latter. Shah is the incumbent mayor of Krishnanagar Municipality and had contested independently in the 2017 elections.

In Dolpa district of Karnali Province, Kaike Rural Municipality Chairperson Angad Rana and Chharka Tangsong Rural Municipality Chairperson Senag Gurung joined CPN-US after abandoning CPN-UML. On the other hand, disgruntled Maoist leader and aspiring mayoral candidate for Waling Municipality in Gandaki Province Hum Bahadur Gurung joined CPN UML along with his local cadres and ward leaders after the CPN-MC turned down his candidacy. However, contrary to the expectations of Gurung, CPN-UML provided the ticket to Krishna Khad in light of his local popularity and appeal to the electorate.

While local leaders' shift in loyalty is motivated by their desire to secure candidacy, the transactions work at both ends, with the party looking to field a candidate who can fund the electoral campaign and can better interact with the diversity of the electorate.

## PARTING THOUGHTS

Contesting the elections is becoming an expensive affair in Nepal. And clearly, money politics is emerging as a key factor influencing candidate selection. This nature of electoral politics is beginning to resemble other countries in the region, such as India and Pakistan. Another worrying trend that seems to mirror the South Asian neighborhood is the extent of political patronage and clientelism that continues to dominate local politics. Different study reports from Pakistan [19] and Bangladesh [20] concur; while the clientelist nexus between central and local level powerholders have been documented in the past, in recent years, it has threatened to undermine democratic institutions and reduce electoral processes to a mere formality on paper. Compromised candidates fielded by Nepal's political parties in the upcoming local elections is a case in point. This said, there is also evidence that suggests political parties are optimizing across money and electoral appeal. Understanding how these tradeoffs are working can provide valuable insights for both, strengthening inclusive candidate selection and making elections less expensive.

[17] Janak Nepal, "UML ko chunabi rananiti-kamjor thauma tikat dierai party prabesh," Shilapatra, March 14, 2022. <https://bit.ly/3va6Mco>

[18] Based on field notes prepared by PEI researchers.

[19] Liaqat, Asad, Michael Callen, Ali Cheema, Adnan Khan, Farooq Naseer, and Jacob N. Shapiro. Political connections and vote choice: Evidence from Pakistan. Working Paper, Harvard University, 2019. Pg. 28.

[20] Sarker, Abu Elias, and Faraha Nawaz. "Clientelism, partyarchy and democratic backsliding: A case study of local government elections in Bangladesh." South Asian Survey 26, no. 1 (2019): 70-91. Pg. 87.