



Challenges of the Second Constitution Assembly

On November 19, people of Nepal saw the second election to the Constitution Assembly (CA). As 33-party alliance led by Communist Party of Nepal (Maoist) boycotted the election, many observed the election to be peaceful in overall. Despite violent attempts to disrupt the election before and on the Election Day by the protesters, the turnouts in the election was around 78 percent according to the Election Commission which it has claimed to be the highest ever in the history of Nepal.

The poll result has changed the power equilibrium in the CA. Unified Communist Party of Nepal (Maoist), who stood the biggest party in the erstwhile CA, is now the third largest party. Nepali Congress and Communist Party of Nepal (Unified Marxist and Leninist) have now emerged as first and second largest parties in the CA respectively. Similar Madhesi parties now rank far below in size in the CA which used to be the fourth largest in the first CA. Rastriya Prajatantra Party (Nepal) which advocates for constitutional monarchy and Hindutva agenda has appeared as the fourth largest in the CA. UCPN (M) and Madhesi parties have not accepted the poll results as they accuse of systematic rigging in the election by state forces and UCPN (M) has even demanded independent investigation into the matter or else it will boycott the CA. It has even refused to provide the proportional representation (PR) list of candidates to Election Commission. CPN (M) which did not participate in the election process seems triumphed over the underperformance of UCPN (M) and has termed the second CA as illegal.

On the other hand, the debate is rife between NC and CPN (UML) over the matters of power sharing in the new power structure. CPN (UML) has taken election of the President and Vice-president as a part of power sharing in the new context while NC does not want any intervention on this matter until the constitution is promulgated. The other picture of the second CA is the under representation of several marginalized group of the Nepalese society. Dalits, women, muslims and many others fear that their interests would not be served in the new constitution because of their under representation.

Nevertheless, the result of second election to the CA has hinted clear verdict from the voters. No parties were able to secure two-third or clear majority in the election. This has indicated that the parties in the CA should go together to form new constitution. The trailing behind of some parties that carried extreme agendas after the first constitution assembly is a mandate to adopt mid way path to resolve national crisis in the days to come.



The election process has somehow concluded. The voters have bestowed leadership to the parties carrying mid way agenda to promulgate new constitution for the nation. There is a need to set up a mechanism to handle grievances of UCPN (M) and other parties. The fear of under representation of marginalized communities should be addressed through proper selection of candidates from the PR list. The interests of the CPN (M) can be addressed from allowing them in the nominees' seats in CA. The challenge of the new CA is how well the leading parties are able to take together all the parties of different ideologues and deliver new constitution on time, as this is the only way for the logical conclusion of the peace process.

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