

NATIONAL AND INTERNATIONAL LEVERS FOR DEEPENING DEMOCRACY IN NEPAL: ACCESSING FROM FORMAL DEMOCRACY APPROACH

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ABSTRACT

This paper intends to explore the extent and process of deepening democracy in Nepal through formal democracy approach. For this, based on the tradition of historical institutionalism, it makes analyses of national and international institutions and processes for deepening democracy particularly from 1990 when democracy was restored in Nepal. Founded on the argument that both national and international factors are significant for deepening and making democracy resilient, the findings validate the argument in the context of Nepal. Similarly, owing to the contributions of national socio-political dynamics and international engagement of Nepal, democracy tends to be resilient and deepening as it has experienced and adapted in the difficult situations of democratic fragility with flexibility and innovations. Moreover, in the process of democratization, it also reflects evolutionary orientations of democracy towards social democracy from inclusive and formal democracy since 1990.

KEYWORDS: Democratization, deepening democracy, resilience of democracy, democratic institutions, elections

INTRODUCTION

Democracy is supposed to be a complex process influenced by different factors. However, this paper focuses on internal and external institutional factors based on formal democracy approach. Some scholars have observed significant roles of external factors in both processes of transition and consolidation of democracy while some have assumed that significant roles of external factors in the transition phase than on the consolidation phase. Burnell and Calvert (1999, p.12) write "outside intervention will be less useful to democratic consolidation" while they assume that democracy tends to deepen through internal dynamics such as withstanding shocks, bearing struggles, managing to reduce social and economic inequalities and empowering the mass while Leininger (2022: pp.5-9) sees the roles of external factors for both transition and deepening of democracy in the forms of democracy protection and democracy support. Concerning external factor, international supports for democracy in later times, Trubowitz and Burgoon (2023) write that western democracies have been facing difficulties to secure domestic public supports for their international openness and international cooperation due to rising concerns of the voters on national autonomy and economic security, countries in leading position for liberal international order have not been able to meet their international commitments. This scenario further complicates the international supports for democracy in the Global South, thus, this indicates

that the recently democratized weaker countries are better to be in a cautious situation. In this context, this article aims to fulfil the knowledge gap in the status of deepening and resilient democracy in Nepalese context.

Democracy was restored in Nepal in 1990, Freedom House, Haynes (2001) writes that Nepal was an electoral democracy until October 1999. International IDEA (2023), ranks democracy in Nepal 69th in terms of participation, 61st in terms of representation, 71st in terms of rights and 94th in terms of rule of law among 174 countries. As these measures are indicator based such as representation, rights, participation, rule of law, and decentralization and such indicators are usually domestic. However, this paper intends to access the status of democracy in Nepal based on processes focusing on both domestic institutions and international influence. Furthermore, it also uses the method of descriptive historical institutionalism as the deepening democracy is more a process-based phenomena.

ANALYTICAL FRAMEWORK

Stating that elections can have catalytic roles with transformation potentials, Global Commission on Elections, Democracy and Security (September 2012: p.5) writes, "elections can further democracy, development, human rights, and security, or undermine them, and for this reason alone they should command attention and priority." Elklit (2001) discusses on the traits of democracies such as pseudo-democracy is

marked by legal opposition, electoral democracy features with formalities having a minimum level of civic freedom, participation and competition while liberal democracy ensures extensive political and civic pluralism, accountability and has no any sense of reserved power. Sid-Ahmed (1990) assumes democracy not as a grant but as a process and Haynes (2001) argues that democratic deepening involves messy processes while moving from a fake democracy to full democracy. Fung and Wright (2003, p.6) state that deepening democracy is featured by (ibid.p.6) "citizen participation, deliberation, and empowerment" and for this literacy and the balance of power are the basic enabling conditions while avoiding the situation of command-and-control, or aggregate or strategic decisions (ibid.p.23).

For deepening democracy, Tharamangalam and Chathukulam (2023) focus on the availability of self-management institutions at local levels and strengthened civil society while Heller (2023) sees the roles of participation and representation. Rakner, Menocal and Fritz (2007) stress on the need of political parties and Amador (2012, p.42) states that "democracy is deeper than elections". Huber, Rueschemeyer, and Stephens (1999, pp.168-187) portray the features of formal democracy as "regular free and fair elections, universal suffrage, accountability of the state's administrative organs to the elected representatives, and effective guarantees for freedom of expression and association as well as protection against arbitrary state action" and argue that formal democracy is a pre-condition for participatory and social democracy. Moreover, they assume that existing market oriented international power system and internal class power relations tend to promote formal rather than social democracy.

Elklit (2001) sees significant roles of political and administrative elites and normative commitment of the general voters or the mass. This argument tends to resonate with the argument for resilience of democracy such as by Burnell and Calvert (1999, p. 4) who define resilience of democracy as "an attachment to democratic ideals". As democracy may not always find a favorable situation to deepen and broaden, thus, democratic resilience seems to be significant for democratic deepening. Merkel and Luhrmann (2021, p. 874) define resilience of democracy as "ability of a democratic system, its institutions, political actors, and citizens to prevent or react to external and internal challenges, stresses, and assaults..." with such responses as withstanding, adapting or recovering and International IDEA (2017, pp.59-60), forwards the features of flexibility, adaptation and innovations for resilient democracy. All these arguments for deepening democracy are related to internal situation of a state and also imply that unless democracy is resilient, it does not tend to deepen.

Having noticed higher influence of international community in less powerful and economically weak countries

for democratization, Nolting (2001, pp.103-104) discusses on two distinct approaches of the political conditionality marked by external pressure and positive measures marked by external assistance. Haynes (2001, p.5) argues for the contextual significance of external factors on a country's democratization path while Boix (2011, pp. 826-827) sees external influence in two ways: economic globalization by making political regimes more open and international diffusion of ideas suggesting that there tends to be both economic and ideational effects. Munck (2009, pp.3-5) argues that democracy in its current form was externally promoted from early 1980s from the United States and from 1990s from international organizations and the European Union including the United Nations even if the Charter of the United Nations does not have the term democracy. Rakner, Menocal and Fritz (2007: pp.9-10) argue external pressure, incentives and diffusion tend to affect democratization in other countries and Archibugi and Cellini (2017, p. 70 - 96) use the concepts of internal and external levers for democratization and discuss on their roles for democratization of global governance as well as a member state. Overall, with reference to these literatures, it can arguably be stated that democratization in a country can be analyzed in a two-factor approach of internal and external dynamics.

DATA AND METHOD

This study uses secondary qualitative and quantitative data derived from related publications of the Election Commission of Nepal, Ministries of the Government of Nepal as well as from the publications of national and international non-governmental organizations. With reference to the literatures discussed in the analytical framework, the political institutions and processes for deepening democracy are first divided into two parts: national and international levers. Then, assuming democratization as a political process having different historical dynamics, building democratic values, processes and institutions, the paper uses the method of descriptive historical institutionalism. With this method, beginning from 1990, when democracy was restored in Nepal, the processes and institutions are identified and delt from the formal democracy approach.

RESULTS AND DISCUSSIONS

A. INTERNAL LEVERS

The internal factors include the domestic political institutions and processes as reflected in the analytical framework. Such domestic processes and institutions have been categorically discussed as follows:

1) *Historical democratic processes*

Democratization is a messy process. Nepal's political history of democracy began in 1951 with the downfall of Rana regime and passed through multiparty democracy to the party-less Panchayat system and again to multiparty democratic

system in 1990 to federal democratic republic with the ousting of the king in 2008. This indicates a long political struggle of the Nepalese people with different political movements for institutionalizing democracy in Nepal. Shrestha (1999, p.7) writes that Party-less Panchayat system introduced in 1960, "ostensibly gave much importance for decentralizing functions and power to the local government institutions mainly to color the Panchayat system with democratic flavor". Similarly, Pandey (2000, p.252) depicts the real Panchayat picture stating that "formal institutions including the legislative and the judiciary had little authority while the personal and the advisor's direct access to the king enjoyed enormous extra-constitutional power". The party-less-Panchayat system was ousted by people's movement in 1990. In this context, Pandey (2000, p. 275) opines that it was a struggle "about the right to have a polity with political parties that compete for a mandate from the people to preside over the state affairs". This gives the sense that the movement of 1990 was the struggle between the party-less system and the multiparty system and the winning by the multiparty system implies the formal beginning of a democratic system.

Concerning the status of decentralization, Shrestha, (1999, p.22) writes that the Village Development Committee Act, 1990 and Municipal Act 1990, which had replaced the local Panchayats and Town Panchayats, had been brought for "operation, supervision, and coordination" of the rural and municipal development. The Acts had elaborated the functions, duties and powers of village development committee and municipal committees including their authority in formulating budget, collecting taxes, as well as formulation of plans and their implementation, however, the king had special power to issue directives, supervise and dissolve them.

The Constitution of Kingdom of Nepal, 1990 guaranteed the civil and political rights of people along with the multiparty democracy stating that restrictions could not be imposed on political parties. It was a milestone for the democratic history for Nepal. Besides opening space for institutionalizing political parties with their own constitution and institutional registration in the Election Commission, the Constitution also introduced the concept of inclusion of women in politics with the article 114 stating that in the house of representative elections, at least five percent of the total candidates contesting from any party must be women. However, it was neither proportional nor sought representation in electoral results. On the other hand, part five of the Constitution kept provisions about the king as the protector of the interests and welfare of the people and actions of the king could not be questioned in the courts. Later on, from 1996, the Maoist-led civil war which lasted for ten years till 2006, created further social and political dynamics in Nepal. Whatsoever, the democracy successfully bore the civil war with flexibility and

further innovation and went for Constituent Assembly elections in 2008 to institutionalize peace.

2) *Democratic values and institutions*

After the restoration of democracy in 1990, the Constitution of Kingdom of Nepal, 1990 in its article 12 ensured rights to freedom of speech, association, and free movement along with other articles provisioned for rights to publications, and right to information along with the arrangements on the prohibition on the imposition of restrictions on political parties. The Constitution of 1990 in the preamble also assured human rights, adult franchise, and multiparty-party democratic system and independent and competent justice system for rule of law.

The preamble of Constitution of Nepal, 2015 expresses its commitments on multiparty democratic system along with other democratic values such as "human rights, adult franchise, periodic elections, full freedom of the press, and independent, impartial and competent judiciary and concept of the rule of law". Besides these arrangements for formal democracy, the constitution of 2015 seems to have moved a step further towards socio-economic and power dimensions such as the preamble writes to end "all forms of discrimination and oppression created by the feudalistic, autocratic, centralized, unitary system of governance" as well as resolves "to build an egalitarian society founded on the proportional inclusive and participatory principles". It also ensures federal system of governance. The proportionally inclusive parameters were already there in the Interim Constitution of Nepal, 2007 in which, for the first time, in the article 63, it made arrangements for mixed electoral system composed of first-past-the-post and proportional representation in the constituent assembly. It was practiced in electing the members for the Constituent Assembly in 2008 and 2013. For the first time, the Constitution had also recognized National Human Right Commission as a constitution body. The Constituent Assembly produced the Constitution of Nepal 2015, an exemplary task of self-drafting and self-declaration of the constitution for self-management by the people themselves.

The federal system as provisioned by the 2015 Constitution, as the federation implies for shared power and self-rule, assures three tiers of government. Besides the sharing of power in political and jurisdictional terms, article 50 (3) writes that one of the objectives of the state is "to develop a socialism-oriented independent and prosperous economy". For this, it intends to create an "exploitation free society by abolishing economic inequality through equitable distribution of the gains". The 2008 Interim Constitution in its article 21 assured the right to social justice stating that women, Dalits, indigenous ethnic groups, Madhesi communities, oppressed groups, the poor farmers and laborers, who are economically, socially or educationally backward, have the right to participate in state structures and other articles while the 2015 Constitution, along

with the right to social justice and rights to social security, has arranged for social group based rights such as rights of woman, rights of children, rights of senior citizen, and rights of Dalits. Moreover, the 2015 Constitution, under the directive principles of the state, also assures that the state efforts are directed towards building a civilized and an egalitarian society along with eliminating economic inequality through equitable distribution of the gains.

Overall, after 1990, major arrangements required for electoral democracy seems to be in place. After 2007, power sharing through inclusive parameters were seen while after 2015, power sharing through two approaches – through restructuration of the state for federal system with three tiers of government with constitutionally defined jurisdictions and through proportional inclusion parameters are seen. These provisions tend to correspond to the innate values of social democracy as Kastning (March, 2013, p.7) states that “freedom, equality, justice and solidarity” are the core values of social democracy. The national focus on social aspect is further reflected by what International Labor Organization (2023) writes that 15th National Development Plan of Nepal (2019/20 – 2023/24) intends to cover “60 per cent of the population with basic social protection schemes and the allocation of 13.7 percent of the national budget for social protection”.

3) *Electoral legal arrangements*

Integrity and quality of elections are affected by package of laws including constitution, electoral legislation, administrative regulations and codes of conducts because they determine "the rule of the electoral game" (Cheema, 2005, p.39). In Nepalese context, Constitution of the Kingdom of Nepal, 1990 was a milestone for political participation of people for the Constitution guaranteed "unprecedented civic liberties and political rights" (Pandey, 2000, p.102). Besides strengthening civic liberties, the 1990 Constitution also made a provision for the Election Commission to conduct, supervise, direct and control the elections to Parliament and Local Authorities at the village, town and district levels. The task of preparing voter roll was granted to the Election Commission. Moreover, the constitution, in its article 45, had assured that every Nepali citizen who having attained the age of eighteen would be entitled to vote.

The Interim Constitution of Nepal, 2007 continued the provisions about the Election Commission as a constitutional body, the provisions relating to political parties and voting age. However, the electoral system was changed from that of the previous. These legal provisions relating to elections and political parties seem to be carried on even in the Constitution of Nepal, 2015. More significantly the 2015 Constitution, in part five, structures the state in three levels as federation, province and local distributing their powers in the schedules and elected

institutions are formed in each of these levels to function in their own jurisdictions.

Within the framework of 2015 Constitution, different election related legislations such as Election Commission Act 2017, Election (Offence and Punishment) Act 2017, Voter Roll Act 2017, Political Party Act 2017, Local Level Election Act 2017, Election to the Member of House of Representative Act 2017, Election to the Member of Province Assembly Act 2017, Election to the President and Vice President Act 2017, National Assembly Election Act 2018 and their rules are found to be in place to fix the rules for free and fair electoral game. The Election Commission administers elections as per these electoral legislations.

4) *Election management body*

Election management body in the name of Election Commission was formed for the first time as provisioned in the article 78 of the Constitution of Nepal, 1962 and it also outlined the duties of the Commission (Election Commission, 2017, p.65). The Constitution of Kingdom of Nepal in 1990 restored the multiparty democratic system and also made arrangements for the Election Commission with outlining its rights and duties of operating, directing controlling of elections of the parliament, municipalities and villages.

The Interim Constitution of 2007 and the Constitution of Nepal, 2015 make similar arrangements for the formation and rights and duties of the Election Commission of Nepal. Such as the 2015 Constitution makes arrangement for one chief election commissioner and four other election Commissioners in the Commission and they are appointed by the president on the recommendation of the constitutional council upon the parliamentary hearing. Their term of office is six years. The Constitution provisions that conducting, supervising, directing and controlling the elections of all the levels and also preparing voter roll for electoral purpose include the main duty of the Commission. The Commission is a constitutional body and therefore, legally the Commission is not under the influence of the executive branch of the government.

Election Commission Act, 2017 makes such provisions as that the Election Commission can ask for the assistance from the government for conducting elections, can use government resources from federal to local levels, make decisions in the questions of disqualification of the candidates in the election period, fix the amount for election campaigning, enforce electoral codes of conducts, can establish its field offices, use new electoral technology in elections, conduct voter awareness programs and discussions with political parties and stakeholders, recruit and employ officers and other staff for voter registration, have expert's service in elections, issue order in the names of government, political parties and other stakeholders and can even cancel elections if convinced of unfair influences and

practices in the electoral processes. These provisions imply the independence and wide jurisdictions of the Commission to conduct free, fair and credible elections in Nepal.

Regarding the organizational outreach of the Election Commission of Nepal, Yadav (2012, p.29) writes that the Commission began establishing its 75 district offices in different phases from 1997 to 2003. Now the Commission has a secretariat in the headquarters, 70 district election offices and seven province offices to conduct election management tasks and oversee elections across the country. As per the 2015 Constitutional provisions, the Commission conducts elections for electing 38596 representatives in all the levels across the country. The level-wise representation status is as follows:

Magnitude of representation and number of representatives			
S. N.	Levels	Representation	Number of representatives
1	Local	Local level chair, vice chair, mayor and deputy mayor	1506
2		Elected by rural assembly	920
3		Elected by urban assembly	879
4		Ward chair	6743
5		Ward members	26972
6	Province	District coordination committee	693
7		Province assembly	550
8	Federal	Federal representative	331
9		President and vice president	2
Total representatives across the country			38596
Total registered voters as of date			18128832
Representative-voter ratio			469.71
Data Source: author calculated as per constitutional provisions and reports of Election Commission of Nepal			

The table above shows the number of representatives elected in the administration of the Election Commission. It also shows that local level has the highest number, 97.7 percent of representatives in Nepal. The overall ratio between the elected representatives and the voters is around 1: 470 voters.

5) Electoral system

Electoral systems translate votes into seats and as it is related to many issues of governance, choice of geographical representation, proportionality as well as influences in the political parties and the candidates, “the most influential of all the political institutions” writes International IDEA (2005, p.4). International IDEA (ibid., p.5-6) further writes that the choice of an electoral system does not only influence political parties in their internal cohesion, disciplines, roles of elites in the parties, election campaigning and alliances but also the voters in the

simplicity and complexity of voting as well as in managing social conflicts.

The 1990 Constitution of Nepal provisioned for the first-past-the-post electoral system for the house of representative and the national assembly mostly from the single transferable vote system along with the provision of at least five percent of the candidacy of woman in the elections of the house of representative. These provisions implied a loose idea of inclusion such as of woman but did reflect the national social diversity in the parliament in proportional sense. As such, in the elections of the parliament and local levels taken place between 1991 to 1999 in Nepal, the electoral system lacked fair representation of the social diversity of the country write Ghai and Cottrell (Eds., 2008, p.143). However, the 2015 Constitution, in its preamble, writes that the state mechanism functions on the basis of proportionally inclusive principle, article 85 assures that house of representatives consists of a total of two hundred and seventy five members among them 165 members are elected through the first past the post electoral system and 110 members through the proportional electoral system assuring the representation of “women, Dalit, indigenous peoples, Khas Arya, Madhesi, Tharu, Muslims and backward regions, on the basis of population”.

Similarly the article 176 of the same constitution assures mixed electoral system with proportional representation in the province assemblies stating that each province assembly has the members in a number that is twice as many as the number of the members in the house of representative from that province and this number is supposed to be sixty percent of the total number of members in the province and this makes sixty percent of the members in the province assembly which is filled through first past the post electoral system and the remaining forty percent is filled through proportional electoral system.

At the local level, though the electoral system is said to be the first-past-the-post, different parameters of inclusion are there. The Constitution assures the representation of at least two women in the five membered ward committee. The Local Election Act 2017, in its clause 17, intends to reach the most marginalized women among women stating that between these two women, one has to be from Dalit community. The Act, in its clause 17, further enforces gender-based power-sharing at the executive positions by making provision for the political parties that while nominating candidates for contesting in the elections for the post of mayor and vice-mayor in municipalities and chair and vice chair in rural municipalities, at least one has to be woman. These provisions and practices tend to imply the deepening health of democracy in Nepal also as argued by Burnell and Calvert (1999, p.12) who state “democracies' chances of survival increase most not because of longevity but because they have managed to develop economically and reduce socioeconomic inequality”.

6) *Electoral processes*

Some scholars treat the electoral process in the election cycle approach while Elklit (2001) identifies a twelve-step electoral process including the preparation of legal framework, organizational management, fixing constituencies, voter education, voter registration, nomination of candidates, campaigning, polling, counting, declaration of results, implementation of results and post-election review. Election Commission of Nepal manages all the electoral processes. As per prevailing laws, the task of fixing constituencies does not fall in the jurisdiction of the Election Commission while the polling locations and centers are fixed by the Commission.

According to the Procedures for Determining Polling Locations and Centers, 2020, the Commission fixes polling locations and centers based mainly on the criteria of accessibility, security, available facility, and dividing polling centers within the locations to make polling centers less crowded but more systematic that facilitates for easy access and fast polling. Historically, as per the Election Commission (2017, 2021 and 2023), there were 6,821 polling locations across the country in the parliamentary elections of 1999, the number grew to 9,824 in the constituent assembly elections of 2008 and that further grew to 10,671 in 2017 parliamentary elections. The number of polling locations reached 10,892 in the 2022 parliamentary elections.

As per Election Commission (2017 and 2023), to keep all the electoral processes in a right track in each election, the Commission prepares an election operation schedule with milestone activities, responsible entity and the starting and ending dates for each of the activities. The operation schedule also includes the election program including the date, time and place for such activities as candidate registration, claim and objection, verification, withdrawal of the nomination, final candidature, assigning election symbols to the candidates and polling date. The election program is published in the gazette and conducted by the concerned returning officers. Once the candidates are provided with the election symbols, the candidates go for campaigning.

Prior to poll day, polling officer including other officials are deputed by the returning officer. The polling officials set up the polling stations, coordinate with the local political parties, conduct the poll in a participatory manner getting the local party agents involved in filling different forms to assure the electoral trust and integrity. Once the poll is over, ballot boxes are sealed and safely taken to the office of the concerned returning officer to count them in the witness of the agents of political parties and results are declared.

Regarding voter registration, Yadav (2012, pp.27 - 28) writes that in 1950, Nepal would register the citizens of Nepal who had attained the age of 21 and who had resided in Nepal at

least for sixty days, in 1985 and also before, the voter list was collected by visiting the doors of the people; and in 1990, Nepalese citizens who had attained the age of 18 were collected in the voter list. Yadav (2012, p.28) assumes that the voter roll became more systematic after the launch of the voter registration act in 1995 with adopting a periodic voter registration system. Voter Registration Act, 2006 was brought making things further clear including the processes of collection of voter roll, its verification, and correction. In 2010, the Commission began modern technology-based voter registration with photograph and biometric details of voters to avoid multiple registrations and deceased voters and prior to this, the voter registration was manual based on paper.

Election observation and monitoring are other significant processes for ensuring electoral integrity. Election Commission (2017) writes that the 1991 parliamentary election was observed by the high-level dignitaries from 20 countries, 1999 elections was observed by one hundred international observers along with around 1500 national observers from different civil society organizations and 2008 election, by 18 international and 732 national observers from different civil society organizations. The Commission has Election Observation Procedure to systematize election observation in Nepal.

Gyawali (2017, pp. 169 - 171) writes that the Commission had used macro election monitoring in 2008 election while it used macro and micro election monitoring in the 2013 elections to ensure electoral integrity. For the macro monitoring in the then seventy-five districts of the country, fifty-five teams had been mobilized and for micro monitoring had been conducted in 950 polling locations by micro-monitors who would monitor the poll without disclosing their identity and report secretly to the Commission about the status of free and fair elections in their assigned locations.

7) *Political parties and institutionalization*

Political parties are significant for deepening democracy and making democracy resilient. Randall and Svasand (2001: p.97) write "democratic consolidation is associated with party institutionalization" and argue that institutionalized parties need to have (ibid. p. 80) "adaptability, systemness (coherence/complexity), 'value infusion', external institutionalization and autonomy".

Hachhethu (2005: pp.158-159) writes that Nepali political parties were first formed in 1930s and 1940 in India, they were outlawed from 1960 to 1990 in Nepal but they became successful to restore democracy in 1990. It suggests that democratic resilience was much related to parties. Hachhethu claims that political parties in Nepal were ideology driven prior to 1990 but after the restoration of democracy in 1990, they became power seeking. However, "despite the erosion of

ideology, political parties have remained omnipotent institutions in linking the state and the society" (ibid, p.164).

Constitution of Nepal, 2015 in its article 269, with reference to the fundamental rights of people to open a political party, assures that people holding similar political ideology and program can organize political parties, they have to be registered in the Election Commission with their constitution and manifesto, their constitution has to be democratic, each party has to assure the election of their members at least once in a five year, and they have to assure national diversity in their executive committees at different levels.

Examining the relations between elections and political parties in Nepal, Hachhethu (ibid. p.166) writes that there is "a correlation between government (non-) performance and election results" implying democratic accountability chain that people tend to punish the non-performing party in the next election. Political Party Related Act, 2017 (2073) makes provisions on the structural, functional and financial aspects of political parties. It writes that to register as a political party, the center committee, having at least 21 members, has to make a decision and apply to the Commission with the decision paper, their constitution, declaration, membership list of at least 500 voters with their citizenship certificate or voter card and their self-declaration that they are not the members of other political parties.

A political party registered in the Commission is recognized as a separate self-ruled, legal entity having a continuous succession and it can acquire or sell properties. Membership of political parties can be distributed to the Nepalese people completing 18 years of age; to be a national level party, a party needs to score at least three percent of vote in the proportional system or one seat in the first-past-the-post system in the election of house of representative in the federal parliament.

Political parties now have their structures and networks from the federal level to local levels, major parties have their sister organizations in universities among the students, in professional institutions among workers. The number of political parties has increased significantly. According to Election Commission's reports, in the parliamentary elections of 1991 and 1999, there were 20 and 39 political parties contesting in elections while in the elections of 2017 and 2022, there were 55 and 61 political parties contesting in elections.

8) Civil society and their sphere

Civil society is taken as "a combination of media, NGOs (voluntary, involuntary and traditional type) and professional societies", Parajuli (2004, pp.173-175). For restoring democracy in 1990, vital role was played by professional organizations such as "medical, legal, university and other white-collar workers" (ibid., p.178). In relation to the

existence of civil society organizations in Nepal, Asian Development Bank (2024, p. 4) writes "only 220 domestic organizations were registered by 1990". Acharya (2019) writes that Social Welfare Council was established as per the Social Welfare Council Act, 1992 to coordinate, facilitate, and promote the activities of non-government organization in Nepal.

The eighth five-year development plan of Nepal, the first plan after the restoration of democracy in 1990, accepted significant roles of private sector, non-government organizations (NGOs) and international-non-governmental organizations (INGOs) for the development of the country and had the policy of building a conducive environment for them. In this context, Parajuli (2004, p.180) writes, "NGOs sprouted - from a few hundred in the late 1980s to 13,050 in 2001 excluding 106 INGOs" and further writes that they have been active in relation to the policies and decisions of the government, in pressurizing government for expediting already formulated policies, launching movements as well as in lobbying for or against issues.

Similarly, at the initial state of restoration of democracy, there were state owned media houses alone but in 2022, according to Press Council Nepal (15 June 2022, p.1), there are 886 regularly publishing print media, 1,174 radio stations, 221 satellite televisions, and 3,240 registered online news outlets in Nepal. All these suggest the Nepal has many active non-governmental organizations including international non-governmental ones along with profession-based organizations and audio, video, print and online news media.

9) Voter education and campaign finance for empowering people and levelling field

Education and money are significant in democracy and elections because people's freedom is often restricted by the education and wealth (Kastning, 2013, p.8). Election Commission Act 2017 in its clause 32 assures that the Election Commission can hold discussions or consultations "with any political party or representatives of civil society, experts in the field of election or other related persons or organizations in relation to holding an election in a free and fair manner". Similarly, clause 33 assures that the Commission can operate voter awareness programs to increase awareness in the voters about voter roll, method of polling in election and the rights of voters.

Election Commission (2017, pp. 331-332) writes that the Commission had not developed separate awareness and educational programs for the voters in the parliamentary elections before 1999. But after the completion of the 1999 elections, the Commission with the supports of National Democratic Institute and Enabling State Program, began to launch voter awareness programs. Yadav (2012, p.37) writes that in the immediate post-conflict scenario of Nepal, the Commission had used radios, televisions, newspapers, radio

jingles in 17 different languages, folk music, street drama, posters and brochures as means for increasing voter education.

As the Constituent Assembly Elections of 2008 had adopted a new electoral system and, therefore, the Commission had to focus more on voter education and information dissemination. For this, the Commission had produced audio, video, and print based voter education materials and deployed voter education volunteers for information dissemination and for electoral education. The trained volunteers had visited door to door promoting voter education (Election Commission 2017, pp. 360-361). Similarly, for the Constituent Assembly Elections of 2013, the Commission had interactions and conducted trainings for about two million people at carter, regional and district levels for promoting voter education, had introduced voter education policy and directives for systematic delivery of voter education and even produced voter education materials in 16 different local languages for effectiveness of voter education and outreach (Election Commission 2017, pp. 444 - 460).

Rai and Ghimire (2 May 2022) write that the Election Commission would use posters, street drama, folk songs and the political parties would also use these along with wall paintings and door to door visit in teams in the past but with the growth of smart phone users and internet access, particularly after 2017 elections, both the Election Commission and the political parties have prioritized the digital approach for information dissemination in elections.

With the increasing use of social media, the Commission, in 2020, has launched a social media policy named 'Policy on the Use of Social Media in Election Management (2020)'. This policy is supposed to enhance the effective use of social media in elections, and also for controlling misinformation and disinformation in elections to increase electoral integrity. Similarly, the curricula of social studies at school level from five to eight grades includes contents such as civic awareness and rights and duties, and democratic values, and grade nine and ten include broader political framework in the curriculum such as constitution, good governance, state, citizen, the legislature and judiciary, civil society, political party, and electoral process.

Regarding money in elections, campaign finance is one of the significant issues. The legal arrangements on campaign finance, such as Local Election Act 2017 in its article 64 and Election to the Member of House of Representative Act 2017 in its article 72, state that the Election Commission fixes the limits of amount that the political parties or the candidates can spend in electoral campaigns, the parties and the candidates are not allowed to spend more than the limits. Depending on these provisions, the Commission fixes the limits and publishes it in the gazette for each election.

In later times, such as for the local level by-elections taken place on 1 December 2024, the Commission published the

financial limits for the candidates competing in different positions in metropolitan, sub-metropolitan, municipal and rural municipal areas. The financial limits in campaigning were divided into ten different functions. For instance, for the local level by-elections, a candidate for the position of the chair in a metropolitan city could spend a maximum of 750 thousand Nepalese rupees while a candidate contesting for a ward chair in a metropolitan city could spend a maximum of 300 thousand and a candidate contesting for a ward chair in a rural municipality could spend a maximum of 150 thousand. These are expected to create a level playing field among the candidates beyond the influences of affluence in elections.

B. EXTERNAL LEVERS

Democratization in waves or through diffusion or modernization or globalization, all these are more related to external factors. In Nepalese context, Ayadi (2022, p.167) highly values the roles of external factors stating Nepal alone would not be able to deal with the challenges in the post-Maoist led insurgency period for safe-landing of peace and establishing appropriate political institutions in a new context. Relating to the roles of external factors in the process of deepening democracy in Nepal, this section deals the status and processes as follows:

1) *Geographically locked but relationally networked status of the country*

In a broader sense, Flint (2006) treats geopolitics as integrations between structures and agents where structures are powers, rules, norms and situations and agents are actors at different levels. In this sense, how the state of Nepal and its actors understand international powers, norms and situations and how they act constitute the geopolitics of Nepal. The diplomatic history of the 19th century Nepal was the history of "struggle for existence" K.C. (1989, p.289). Focusing on resource, Dahal (2002, pp.528 -529) writes that the first five-year plan which began in 1956 in Nepal was fully dependent on aid and 75 percent of the total budget for the seventh plan (1985 - 1990) was from foreign aid. Similarly, Rose (1971) argues that owing to Nepal's geographical and economic constraints, Nepal wanted to diversify its economic and political relations with the outside world. For attaining the national interests of expanding international network, relational and economic diversification as well as for improving a bargaining power, a non-democratic national value system may not provide a good ground in the international level. Nepal's interests of expanding its international relations are also reflected by Ministry of Law, Justice and Parliamentary Affairs (2018, March) that provides the list of 165 multilateral treaties in which Nepal is a party and 27 treaties in which Nepal is a signatory.

World Bank (2024, p. 33) writes that "international migration from Nepal is high and primarily for economic work", and flows of remittance to "Nepal rank among the highest in the

world". It further writes that "over 30 percent of the poverty reduction between 2011 and 2023 is directly attributed to personal remittances" in Nepal. This trend in migration and remittance implies two significant aspects, first the international networking of Nepalese people, not only the state level relations but at the level of people and second, the economic empowerment of the people through remittances generating multiple opportunities. This situation corresponds to what Folch, Meseguer, and Meseguer (2022) argue that remittances directly received at a personal or household level affects their political behavior, makes them able to make independent decisions, increases their mobilizing capacity and overall, makes people and the civil society empowered rendering direct political consequences. Overall, even if Nepal is a smaller, landlocked and less powerful country in the international arena, it has developed different tracks and types of networks with the international community which seems to have influenced not only the behavior of the state but also the behavior of the people.

2) *International democracy protection*

Democracy protection tends to include coercive international measures to punish anti-democratic actors (Leininger, 2022). In Nepalese context, Pandey (2000) gets a significant role of information technology such as televisions for the downfall of the Party-less Panchayat system in 1990. Countries such as Germany and Switzerland, Pandey (ibid., p.263) states "wanted to the establishment of democracy" and these countries even warned that their financial aid could be stopped if human rights were violated or innocent lives of the people were lost due to the firing of the police.

In the case of People's Movement - II in April 2006 against the then King's direct rule and for the restoration of the house of representatives, Aryal and Poudel (2006) give the records of concerns shown by international communities. They write that peaceful demonstration spread across the country and "the king's government was indulged in atrocities that resulted in total collapse of civil and political rights" (ibid. p.61). In the movement, 19 Nepali people died and five thousand were injured (ibid.). Against the actions of the king, international community issued public statements, press releases, and expression of concerns; summary of such statements and concerns are given as follows:

International community in people's movement-II			
S.N.	International community	Expressions through	Date
1	Asian Forum for Human Rights and Development	Press release	5 April 2006
2	Nepal-ICJ (International Commission Jurists)	Call for release of lawyers and lifting ban on gatherings	5 April 2006

3	Asian Centre for Human Rights	Press release	6 April 2006
4	Congress of the United States	Letter to King	6 April 2006
5	Asian Human rights Commission	Statement	7 April 2006
6	UN Office of the High Commissioner for Human Rights in Nepal	Press release	8 April 2006
7	Chair of European Parliament Delegation to South Asia	Press release	10 April 2006
8	UN Office of the High Commissioner for Human Rights in Nepal	Press release	11 April 2006
9	UN Secretary General	Expression of concern	13 April 2006
10	UN High Commissioner	Press release – "shocked by excessive use of force"	13 April 2006
11	U.S. Senator (Patrick Leahy)	Comment	13 April 2006
12	UN Office of the High Commissioner for Human Rights in Nepal	Press release	17 April 2006
13	Amnesty International	Press release	18 April 2006
14	Reporters without borders	Press release	18 April 2006
15	Asian Human Rights Commission	Statement	18 April 2006
16	Committee to Protect Journalists (CPJ) New York	Report	20 April 2006
17	Amnesty International	Public statement	20 April 2006
18	International Federation of Journalists	Media release	20 April 2006
19	United Nations	Press release – "gravely concerned at the escalating wave of violence surrounding pro-democracy demonstrations..."	20 April 2006

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20	Asian Forum for Human rights and Development	Press statement	21 April 2006		the Prime Minister of India to Nepal in 19-20 April 2006
21	Council of European Union	Statement on Current Situation in Nepal	21 April 2006	37	Ministry of External Affairs, New Delhi
22	UN Office for the Coordination of Humanitarian Affairs (OCHA)	Expression of concerns	21 April 2006		Press statement on Nepal – welcoming the handover of the political power to the people’s representatives
23	Asian Centre for Human Rights	Press release	21 April 2006		Source: Summarized by the author from Aryal and Poudel (Eds., 2006), Informal Sector Service Center (INSEC).
24	World Organization Against Torture (Geneva)	Press release	21 April 2006		The table gives a summary of international pressure against the authoritative power of the then king for democracy in Nepal. The international community seems to have spoken on behalf of the people of Nepal to protect their human rights and have supported to react to the stresses and assaults in democracy.
25	UN Secretary General	Statement	21 April 2006		3) International democracy supports
26	South Asians for Democracy	In solidarity with democratic uprising in Nepal			Political parties in Nepal have relations with “fraternal foreign organizations” such as “Nepali Congress with Socialist Institutional, Communist Party of Nepal- United Marxist Leninist with communist and socialist parties, Rastriya Prajatantra Party with Asia Pacific Democratic Union of political parties” (Dhungel, 2007, p.87). Their party-based relations are maintained through good will visits and meetings. Similarly, in the context of post-restoration of democracy in 1990, Shrestha (2004, p.159) writes “many foreign donors have come forward in the forms of INGOs and NGOs to strengthen democracy, human rights, poverty alleviation, local development and good governance”. International organizations such as International IDEA and National Democratic Institute have also helped for the institutionalization of political parties in Nepal (ibid. p.92).
27	U.S. Department of State, Office of the Spokesman	Immediate release	22 April 2006		For the Constituent Assembly elections in 2008, Election Commission of Nepal had used “Australian ink, American ballot paper, British generators, Chinese election materials, Danish computers, Indian vehicles, Japanese ballot boxes and Korean fax machines” (Pokhrel and Rana, 2013, p.76). There were ten and seven donors in 2008 and 2013 elections in Nepal respectively and donors assisted the Election Commission of Nepal with technical, logistics and financial supports in such areas as “electoral education, capacity development, election materials, office equipment, vehicles, indelible ink, election monitoring, and so on” (Guragain (2021, p.89).
28	Philippine Alliance of Human Rights Advocates	Letter – expression of solidarity with the struggle of Nepalese people	24 April 2006		
29	UN Office of the High Commissioner for Human Rights in Nepal	Press release	24 April 2006		
30	United Nations	Press release – “Human Right Expert Condemns Nepal’s shoot-on-sight policies”	24 April 2006		
31	European Union	Declaration by the Presidency about the situation in Nepal	25 April 2006		
32	Asian Centre for Human Rights	Press release	25 April 2006		
33	UN Office of the High Commissioner for Human Rights in Nepal	Press release	25 April 2006		
34	Concerns by Indian Government	In response of questions on development in Nepal	6, 12 April 2006		
35	Ministry of External Affairs, New Delhi	Statement on Nepal	21 April 2006		
36	Embassy of India, Kathmandu	Press release – following visit of special envoy of	20 April		

Processes Project in Nepal from 2010 to 2015 and has Democratic Processes Project from 2023 to 2028.

At the grass root level, civil society organizations (CSO) are supposed to deepen the democratic values. Asian Development Bank (2024, p. 5) writes that though an integrated data on the number of civil service organizations in Nepal is not available, around 84,000 such organizations are supposed to be working along with 185 International Non-governmental organizations (INGOs). As INGOs do not implement projects themselves in Nepal, “*Nepal’s CSOs have access to multiple sources of funding. Generous support is offered by bilateral and multilateral development partners, including the United States, the European Union (EU), the United Kingdom, United Nations (UN) agencies, Switzerland, Japan, and the World Bank*” (ibid.p.8). As a whole, all these imply that different approaches and modalities are being used from outside to support democracy in Nepal.

CONCLUSION

From the discussion, democratization in Nepal seems to be the results of contributions from different internal and external levers including national initiatives and international pressures and supports. Democratization further seems to have undergone a non-linear, complex twists, turns and stresses. At the same time, democracy seems to be resilient as it was restored in 1990, it bore the Maoist-led civil war between 1996 to 2006, again the absolute power exercised by the king and it was taken back to people in 2006. Nepalese democracy has adopted the mixed parallel electoral system for peace and social justice since 2007, and in overall, democracy seems to have experienced stresses in different phases but maintained the democratic ideals with flexibility and innovations.

Democracy in Nepal seems to be deepening through institutionalizing independent EMB, periodic elections with integrity, decentralization of power through federal set up, state-society balance of power through prioritizing civil society, respect to fundamental human rights, international engagement thorough formal networks as well as international migration affecting the economic empowerment at household levels. The presence and deliberations of 97.7 percent of the total representatives the local levels also imply for stronger democracy at grassroot level.

Democracy, between 1990 and 2007, seems to have been more formal or merely electoral as this period focused on the promotion of multiparty system, human rights and periodic elections for framing new governments while between 2008 to 2015, it seems to have been more inclusive and participative with mixed electoral system, constitution making by people’s representatives, elections not only for framing government but also for conflict resolution addressing the question of justice. After 2015, it seems to be directed, at least in principle, towards

more social democracy with the principles of self-rule and shared rule in three levels of governments, prioritizing social security and social justice addressing the question of inequality, more opportunities for deliberations at people’s levels and sharing of state power among social groups through inclusive parameters.

LIMITATIONS

Democracy is a complex process and it can be accessed from different angles and dimensions while this study is based on formal and minimalist approach to democracy. Thus, it has the limitations on exploring democratic dynamics from substantive or behavioral approach at the level of people. Similarly, even if this paper explored the internal and external factors for making democracy deepened and resilient, it has the limitations on exploring from the perspective of transnational economic interactions or national class power relations as well as socio-economic modernization. These tend to be interesting and contributive areas for further research in Nepalese context.

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