

# Political turmoil in Nepal intensifies as Supreme Court orders reinstatement of parliament

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In a political setback for Prime Minister K. P. Sharma Oli, the Nepali Supreme Court ruled on February 23 that his dissolution of parliament's lower house was unconstitutional and ordered it to be reconvened within 13 days.

Responding to months-long fighting inside the ruling Stalinist Nepal Communist Party (NCP), Oli prorogued parliament to avoid a no-confidence motion and then on December 20 dissolved it.

Nepal President Bidya Devi Bandari sanctioned Oli's decision to dissolve the parliament two years prematurely and declared there would be national elections on April 30 and May 10.

Factional conflict erupted between NCP co-chairs, Pushpa Kamal Dahal and Oli, over who would be prime minister. Dahal insisted that he should have been appointed prime minister mid-last year, in line with the merger agreement between his Communist Party of Nepal-Maoist Centre and the Oli-led Nepal United Marxist-Leninist Party in 2017.

A total of 12 petitions, including from various "civil rights" groups and the Dahal faction of the party, were presented to the Supreme Court (SC) challenging Oli's decision to terminate parliament.

The five judges, headed by Chief Justice Cholendra Shumsher Rana and sitting as a constitutional bench, unanimously ruled that dissolution of parliament was unconstitutional. They rejected Oli's claim that he had closed parliament because he lacked a majority, saying he could have formed a government and pursued other avenues without "putting a monetary burden on the people."

Notwithstanding its legal reasoning, the Supreme Court verdict indicates that a considerable section of

the ruling elite is hostile to Oli's actions and concerned by the growing discontent against his corrupt and increasingly autocratic rule.

Prior to the Court ruling, four former chief justices—Min Bahadur Rayamajhi, Kalyan Shrestha and Sushila Karki, Anup Raj Sharma—issued a public statement declaring Oli had violated the constitution.

A day before the official judgement, Nepal's Chief of Army Staff General Purna Chandra Thapa met with Chief Justice Rana. While the meeting was said to be about another issue, the timing of the meeting makes clear the dissolution was discussed.

There was also a show of force by the military, which publicly paraded its forces on February 1. The army, which was a central pillar of the previous rule by the Nepali monarchy, may be making its own calculations about how to resolve the deep-going political crisis gripping the administration.

Despite media speculation that Oli would resign "on moral grounds" after the Supreme Court judgment, he has clung to his post. All the parliamentary parties are now involved in backroom horse-trading to cobble together a majority and form government.

Nepal Congress (NC) leader Sher Bahadur Deuba is sounding out the possibility of becoming the next prime minister. NC General Secretary Shashank Koirala told journalists that the party should not hesitate to join hands with the Dahal-Madhav Kumar Nepal faction of the Nepal Communist Party "to oust Oli."

While the Dahal-Nepal faction is calculating whether it can pass a no-confidence motion against Oli it needs support from other parties. To do so, however, it must name an alternative prime minister. Oli is now seeking an alliance with other parties and on Thursday lifted a

ban on the activities of the Netra Bikram Chand-led Communist Party of Nepal.

Underlying the deep divisions in the ruling elite is the rising mass opposition of workers and the poor whose lives, jobs and social conditions have been devastated by the pandemic.

While the overall death toll of over 2,000 from coronavirus in Nepal is relatively low and the number of recorded infections is more than 200,000, these figures, according to experts, are the result of low testing levels.

From the outset, the Oli government has ignored the impact of COVID-19 on the Nepali population, with disastrous economic effects.

According to World Bank estimates, Nepal's 2020 gross domestic product growth was only 0.2 percent, down from 7 percent in 2019. Job losses in tourism and the informal sector has produced soaring personal debts levels.

Oxfam's 2019 annual report noted that more than 8.1 million of the country's 26 million-strong population live in poverty. "Women and girls are more likely to be poor... More than one-third of Nepal's children under five years are stunted, and 10 percent suffer wasting due to acute malnutrition," it stated. The income of the richest 10 percent of Nepalis is more than three times that of the poorest 40 percent.

More than 500,000 persons enter the labour force annually but about 80 percent of those migrate due to a lack of job opportunities. Around 32 percent of Nepali labourers work less than 40 hours per week for a meagre income.

Strikes and demonstrations erupted against Oli's dissolution of parliament. While some were called by political parties, those participating did so not because they had any confidence in these organisations but to voice their anger against the entire ruling class.

Global geopolitical tensions and rivalry are major factors in the Nepal political crisis. The US and India are keen to extend their influence in Kathmandu and outmanoeuvre China. For its part, China is determined to maintain its presence in Nepal. India and China have both sent high-level delegations for discussions in Kathmandu.

On February 26, the Indian ambassador, Vinaya Mohan Kwatra, met with Congress President Deuba. It is no secret that New Delhi would welcome a Nepali

Congress administration.

China, which has had close relations with the Oli administration, first tried to patch up the internal factional differences. Beijing, however, will not rule out new alliances if the Nepali Congress makes gains from the NCP split. Chinese ambassador Hou Yanqi has reportedly held discussions with the Congress leader.

A March 1 opinion piece in the *Kathmandu Post* about the battle for influence in Nepal by the US, India and China declared that, "the priority of the Western powers, including the US naturally coincides with that of India. But, for Nepal, this endless meddling by big powers will only further complicate the political process, rather than facilitate it to amicably settle down."

Nepal has been drawn deeper into the geo-political maelstrom. At the same time, the ruling elite sits on a social powder keg because none of the capitalist parties, including the Stalinist-Maoist organisations, can address the social and democratic questions facing Nepal's workers and the poor.



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